



City of San Marcos

Regular Meeting Historic Preservation Commission June 3, 2021, 5:45 PM

The Historic Preservation Commission may adjourn into executive session to consider any item on the agenda if a matter is raised that is appropriate for Executive Session discussion. An announcement will be made on the basis for the Executive Session discussion. The Historic Preservation Commission may also publicly discuss any item listed on this agenda for Executive Session.

Due to COVID-19, this will be a virtual meeting. For more information on how to observe the virtual meeting, please visit:

<https://sanmarcostx.gov/2861/Historic-Preservation-Commission-VideosA>

I. Call To Order

II. Roll Call

- III. 30 Minute Citizen Comment Period:** *Persons wishing to comment during the citizen comment period must submit their written comments to planninginfo@sanmarcostx.gov no later than **12:00 p.m. (noon)** on the day of the meeting. Timely submitted comments will be read aloud during the citizen comment portion of the meeting. Comments shall have a time limit of three minutes each. Any threatening, defamatory or other similar comments prohibited by Chapter 2 of the San Marcos City Code will not be read.*

MINUTES

1. Consider approval, by motion, of the May 6, 2021 regular meeting minutes.

ACTION ITEM:

2. Consideration of Recommendation Resolution 2021-03RR recommending the City Council support and create the San Marcos Legacy Business Program.

PUBLIC HEARINGS

Interested persons may join and participate in any of the public hearing items (3-6) by:

-

- 1) *Sending written comments, to be read aloud*; or*
- 2) *Requesting a link to speak during the public hearing portion of the virtual meeting, including which item you wish to speak on*.*

Written comments or requests to join in a public hearing must be sent to planninginfo@sanmarcostx.gov no later than **12:00 p.m. (noon) on the day of the hearing. Comments shall have a time limit of three minutes each. Any threatening, defamatory or*

other similar comments prohibited by Chapter 2 of the San Marcos City Code will not be read. Any additional information regarding this virtual meeting may be found at the following link: <https://sanmarcostx.gov/2861/Historic-Preservation-Commission-VideosA>

3. **HPC-21-03 (831 and 835 West San Antonio Street)** Hold a public hearing and consider a request for a Certificate of Appropriateness by Elizabeth Howard for exterior alterations which include installation of new exterior porch lights on both homes and installation of new address numbers on both homes.
4. **HPC-21-05 (734 West Hopkins Street)** Hold a public hearing and consider a request for a Certificate of Appropriateness by Wayne Latchford, on behalf of the Ballard Family, to replace the aluminum siding on the existing, historic age carriage house with new Hardie Horizontal Lap Siding, install new, aluminum clad wood windows along the south elevation of the existing, historic age carriage house, and install a new awning along the south elevation of the existing, historic age carriage house.
5. **HPC-21-06 (105 East Hopkins Street)** Hold a public hearing and consider a request for a Certificate of Appropriateness by John Mark Slack, on behalf of Carl Aiken, to allow exterior alterations to the storefront windows which include the addition of decorative rope trim detailing and addition of decorative trim to the kickplate.
6. **HPC-21-07 (139 East Hopkins Street)** Hold a public hearing and consider a request for a Certificate of Appropriateness by Sean Neal to allow the existing rooftop canopy to be further extended.

DISCUSSION ITEMS

7. Discussion regarding how Community Development Block Grants (CDBG) relate to historic preservation and how they might impact historic preservation initiatives.
8. Discussion regarding Chapter 2, Article 7, Division 4: Demolition Review for Historic Age Resources and provide direction to staff.
9. Discussion regarding a Recommendation Resolution encouraging City Council to support the restoration and preservation of the Dunbar School Building, also known as the Dunbar Home Economic Building.
10. Updates on the following:
 - a. From the Local Landmarks Committee
 - b. From the *My Historic SMTX* Committee

IV. FUTURE AGENDA ITEMS

Board Members may provide requests for discussion items for a future agenda in accordance with the board's approved bylaws. *(No further discussion will be held related to topics proposed until they are posted on a future agenda in accordance with the Texas Open Meetings Act.)*

V. Adjournment

Notice of Assistance at the Public Meetings

The City of San Marcos is committed to compliance with the American with Disabilities Act. Reasonable modifications and equal access to communications will be provided upon request. If requiring Sign Language Interpreters or alternative formats, please give notice at least 2 days (48 hours) before the meeting date. Individuals who require auxiliary aids and services for this meeting should contact the City of San Marcos ADA Coordinator at 512-393-8000 (voice) or call Texas Relay Service (TRS) by dialing 7-1-1. Requests can also be faxed to 855-461-6674 or sent by e-mail to ADArequest@sanmarcostx.gov.

For more information on the Historic Preservation Commission, please contact Alison Brake, Historic Preservation Officer at 512.393.8232 or abrake@sanmarcostx.gov.



CITY OF SAN MARCOS

Meeting Minutes

Historic Preservation Commission

Thursday, May 6, 2021

5:45 PM

Virtual Meeting

Due to COVID-19, this was a virtual meeting. For more information on how to observe the virtual meeting, please visit:

<https://sanmarcostx.gov/2861/Historic-Preservation-Commission-VideosA>

I. Call To Order

With a quorum present the regular meeting of the San Marcos Historic Preservation Commission was called to order at 5:47 p.m. on Thursday, May 6, 2021.

II. Roll Call

Present 7 – Commissioner Perkins, Commissioner Holder, Commissioner Arlinghaus*, Commissioner Kennedy, Commissioner Lunkeheimer**, Commissioner Paniagua, and Commissioner Rogers***

Absent 0

*Commissioner Arlinghaus arrived at the meeting at 5:49 PM

**Commissioner Lunkeheimer left the meeting at 6:57 PM

***Commissioner Rogers arrived at the meeting at 5:50 PM

III. 30 Minute Citizen Comment Period:

1. Cathy Dillon was signed up to speak but arrived late to the meeting. She spoke during the discussion item after the Chair granted permission.

MINUTES

1. Consider approval, by motion, of the April 1, 2021 regular meeting minutes.

A motion was made by Commissioner Arlinghaus, seconded by Commissioner Holder to approve the minutes with the following additions:

- a. On Item 2, incorporate comments regarding *My Historic SMTX* and the Comprehensive Plan
- b. On Item 3, clarify that the motion was made by Commissioner Arlinghaus and seconded by Commissioner Holder

The motion carried by the following vote:

For: 7 – Commissioner Perkins, Commissioner Holder, Commissioner Arlinghaus, Commissioner Lunkeheimer, Commissioner Kennedy, Commissioner Paniagua, and Commissioner Rogers

Against: 0

ACTION ITEM

2. **Consideration of Recommendation Resolution 2021-02RR recommending the City Council authorize an amendment to Table 2.1 and Section 2.5.5.3 of the San Marcos Development Code to require posted signage providing notice of any public hearing regarding a request for a Certificate of Appropriateness.**

Alison Brake gave a presentation outlining the Recommendation Resolution.

Discussion between the Commission and staff ensued.

A motion was proposed by Commissioner Perkins, seconded by Commissioner Lunkenheimer, to approve Recommendation Resolution 2021-02RR recommending the City Council authorize an amendment to Table 2.1 and Section 2.5.5.3 of the San Marcos Development Code to require posted signage providing notice of any public hearing regarding a request for a Certificate of Appropriateness.

The motion carried by the following vote:

For: 7 – Commissioner Perkins, Commissioner Holder, Commissioner Arlinghaus, Commissioner Lunkeheimer, Commissioner Kennedy, Commissioner Paniagua, and Commissioner Rogers

Against: 0

PUBLIC HEARINGS

3. **HPC-21-03 (831 and 835 West San Antonio Street) Hold a public hearing and consider a request for a Certificate of Appropriateness by Elizabeth Howard for exterior alterations to which include, but are not limited to, replacement of the exterior skirting on both homes, installation of new exterior porch lights on both homes, and installation of new address numbers on both homes.**

Alison Brake gave a presentation outlining the request. She concluded the request for various exterior alterations to each of the homes, which includes replacement of the skirting, installing new porch lights, and installing new address numbers consistent with the Historic District Design Guidelines [Section C.3.3.1, Section C.3.3.1(D)(5), Section C.3.3.1(D)(7)], the San Marcos Development Code [Section 4.5.2.1(l)(1)(g)], and the Secretary of the Interior Standards for Rehabilitation [Standards 2, 9 and 10] and recommended approval of the request with the following conditions:

- a. The new skirting matches the profile of each home's individual siding profile and installed horizontally as presented.
- b. The address numbers and new exterior light fixtures are installed as presented in a manner in which they can be removed in the future with little or no damage to the historic homes

No one spoke in favor nor in opposition. The applicant was available for questions. There were no further questions and Chair Perkins closed the public hearing.

Discussion between the applicant and the Commission ensued.

A motion was proposed by Commissioner Arlinghaus, seconded by Commissioner Paniagua, to approve the replacement of the exterior skirting for both home with the following condition:

- a. The applicant use natural wood instead of Hardiplank.**

The motion carried by the following vote:

For: 6 – Commissioner Holder, Commissioner Arlinghaus, Commissioner Lunkeheimer, Commissioner Kennedy, Commissioner Paniagua, and Commissioner Rogers

Against: 1 – Commissioner Perkins

A motion was proposed by Commissioner Arlinghaus, seconded by Commissioner Lunkenheimer, to postpone the request for the installation of new exterior porch lights and the installation of new address numbers on both homes to the June 3, 2021 regular meeting of the Historic Preservation Commission.

The motion carried by the following vote:

For: 6 – Commissioner Holder, Commissioner Arlinghaus, Commissioner Lunkeheimer, Commissioner Kennedy, Commissioner Paniagua, and Commissioner Rogers

Against: 1 – Commissioner Perkins

DISCUSSION ITEMS

4. Discussion and consideration of the formation of a *My Historic SMTX* Committee as described in the Commission bylaws.

Staff presented an implementation matrix for *My Historic SMTX*.

A motion was made by Commissioner Perkins, seconded by Commissioner Holder to form a *My Historic SMTX* Subcommittee, comprised of Commissioners Perkins, Holder and Paniagua. The motion carried by the following vote:

For: 7 – Commissioner Perkins, Commissioner Holder, Commissioner Arlinghaus, Commissioner Lunkeheimer, Commissioner Kennedy, Commissioner Paniagua, and Commissioner Rogers

Against: 0

5. Discussion regarding adding language to the Certificate of Appropriateness application emphasizing the importance of applicant attendance at public meetings and provide direction to staff.

The Commission directed staff to add the following language to the beginning of the Authorization section on the Certificate of Appropriateness Application Form:

“Applicants or their agent are advised to attend the meeting to present information to the HPC and to answer any questions the HPC may have regarding the project. Failure to attend an HPC meeting may result in postponement or denial of the application.”

Staff stated that the application form would be amended to include this language.

6. Discussion regarding recent developments regarding the National Trust for Historic Preservation's African American Cultural Heritage Fund grant application and the Dunbar School Building and provide direction to staff.

Staff updated the Commission on the proposed grant from the National Trust stating that the project, restoration of the Dunbar School Building, was not selected for this year's grant cycle. Staff noted that temporary fencing had been installed per the Commission's recommendation.

The Commission recommended that the City undertake following actions to improve the competitiveness of future grant applications:

- Seek designation on the National Register for Historic Places;
- Partner with Hays County to obtain a Recorded Texas Historic Landmark designation for the property; and
- Proactively identify grants and their associated timelines, such as the National Preservation Trust Fund Grant and the THC Quarterly Grant Program.

The Commission reiterated their support for interpretive signage on the fence detailing the history behind the building. Brent Salone (Calaboose African American History Museum Board of Directors) recommended looking into the Ford Foundation for grant opportunities.

7. Discussion regarding a proposed schedule regarding the text amendment to Appendix C of the San Marcos Development Code to include historic design guidelines for Accessory Dwelling Units and other accessory buildings.

Staff stated that the Recommendation Resolution approved by the Commission was presented to City Council. They gave staff direction to move forward with a text amendment to Appendix C. Staff gave an overview of the indicative timeline on the development of historic design guidelines for Accessory Dwelling Units and stated they will follow up to coordinate exact meeting dates.

8. Discussion regarding a potential Recommendation Resolution requesting City Council support and create the San Marcos Legacy Business Program and provide direction to staff.

Staff gave an update on the proposed San Marcos Legacy Business Program. The Commission recommended that staff place a Recommendation Resolution encouraging City Council support of the program on the June agenda for the Commission to take action on.

9. Discussion regarding an update from the Local Landmarks Committee and provide direction to staff.

Commissioner Perkins gave an update from the initial meeting of the Local Landmarks Committee.

10. Updates on the following:

a. Underrepresented Communities Grant from the National Park Service

Staff informed the Commission that the City is expected to hear whether the NPS application had been successful in August.

FUTURE AGENDA ITEMS

Commissioner Holder requested the following be placed on a future agenda:

1. Discussion regarding the demolition delay process

**THERE BEING NO FURTHER BUSINESS CHAIR PERKINS DECLARED THE MEETING
ADJOURNED AT 7:54 P.M.**

Ryan Patrick Perkins, Chair

ATTEST:

Alison Brake, Historic Preservation Officer



RECOMMENDATION RESOLUTION

Historic Preservation Commission

Main Street Advisory Board

Recommendation Number: (2021-03RR): Recommending that the City Council support and create the San Marcos Legacy Business Program

WHEREAS, a Legacy Business Program acknowledges long-lived and historically underserved businesses are important historic assets to a city and recognizes businesses whose antiquity, architecture, historical, or cultural significance makes them notable parts of the cultural landscape of a city; and

WHEREAS, small businesses are the backbone of San Marcos and have helped the city thrive for nearly 200 years; and

WHEREAS, the purpose of the San Marcos Legacy Business Program is to acknowledge the contributions businesses have made to the city's culture and economy while championing the continued success of legacy businesses through promotional and educational support, and potential business incentives; and

WHEREAS, members of the Historic Preservation Commission and the Main Street Advisory Board have partnered together to assist in laying the foundation for a San Marcos Legacy Business Program by giving input into a draft framework, draft nomination form, and draft brand logo.

NOW, THEREFORE, BE IT RESOLVED that the Historic Preservation Commission and the Main Street Advisory Board recommend that the San Marcos City Council consider supporting and creating the San Marcos Legacy Business Program.

Date of Approval: June 3, 2021

Record of the vote:

Attest: _____
Ryan Patrick Perkins, Chair, Historic Preservation Commission

Attest: _____
Linda Coker, Chair, Main Street Advisory Board



Legacy Business Program

Description

The Legacy Business program pays tribute to legendary businesses located in the City of San Marcos. The purpose of the program is to acknowledge the contributions businesses have made to the city's culture and economy. The program aims to champion the continued success of legacy businesses through promotional and educational support.

The initiative includes a registry listing maintained by the City's Main Street and Planning and Development Services Departments. The program will work towards preserving the city's iconic Legacy Businesses through a registry and campaign that identifies, promotes, and markets the businesses in Phase 1 of the program. Phase 2 will work towards sustaining businesses through a Business Tool Kit which will contain services such as lectures, educational seminars, and architectural guidance.

Objective

The program acknowledges that long-lived San Marcos businesses are an important historic asset to the city. Ultimately, the initiative aims to sustain the longevity of heritage businesses that contribute to San Marcos's authenticity.

Phase 1: Registry

The City's Main Street and Planning and Development Departments will develop and maintain a registry open to businesses that are 20 years or older and contribute to the history, culture, and authentic identity of San Marcos. In return for being acknowledged as a Legacy Business, businesses on the list agree to perpetuate the business, its historic name and historic service it provides. If a business inducted into the registry is not a designated landmark or in a historic district it will not be subject to the design review process. All designated landmarks and those in historic districts will continue to follow the design review process.

To qualify for the registry, businesses must meet the following criteria.

Criteria

(a) Process for Considering Legacy Business Registry Listing. Legacy Businesses will be evaluated for the Legacy Business Registry using the criteria listed below. To be eligible for the Registry, a business must have been in operation for 20* years or more and meet one or more of the following criteria. Eligible businesses may be self-nominated, be nominated by the community at large or as identified by the Main Street

and Planning and Development Services Departments through surveys, including community engagement surveys.

(b) Criteria for Evaluation

1. A business that has been owned and operated by successive generations of the same family.
2. A business that perpetuates San Marcos's authenticity through the goods or services it provides (Examples: restaurants, music venues, etc.).
3. A business that cultivates and sustains traditions and culture through instruction, education and handing down of traditional ways of knowledge.
4. A business that is in a designated San Marcos historic district or designated as a local landmark.
5. A business located in a property that is eligible and willing to register the property as a landmark

*A business younger than 20 years may be nominated if they are working to revive or sustain a form of heritage that has died or is waning. A business younger than 20 years, but not reviving or sustaining a lost form of heritage, may also be nominated, but must submit at least two letters from community members describing the benefit the business provides to the community's or city's heritage.

Nomination Process

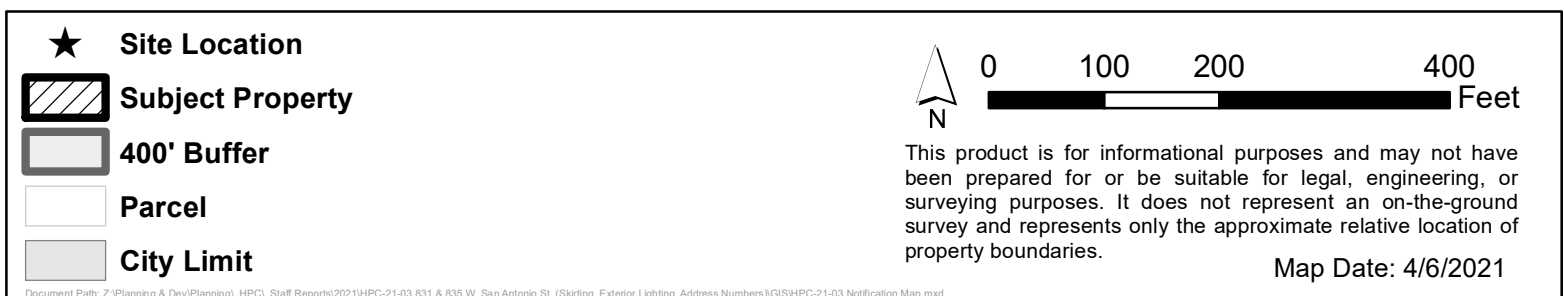
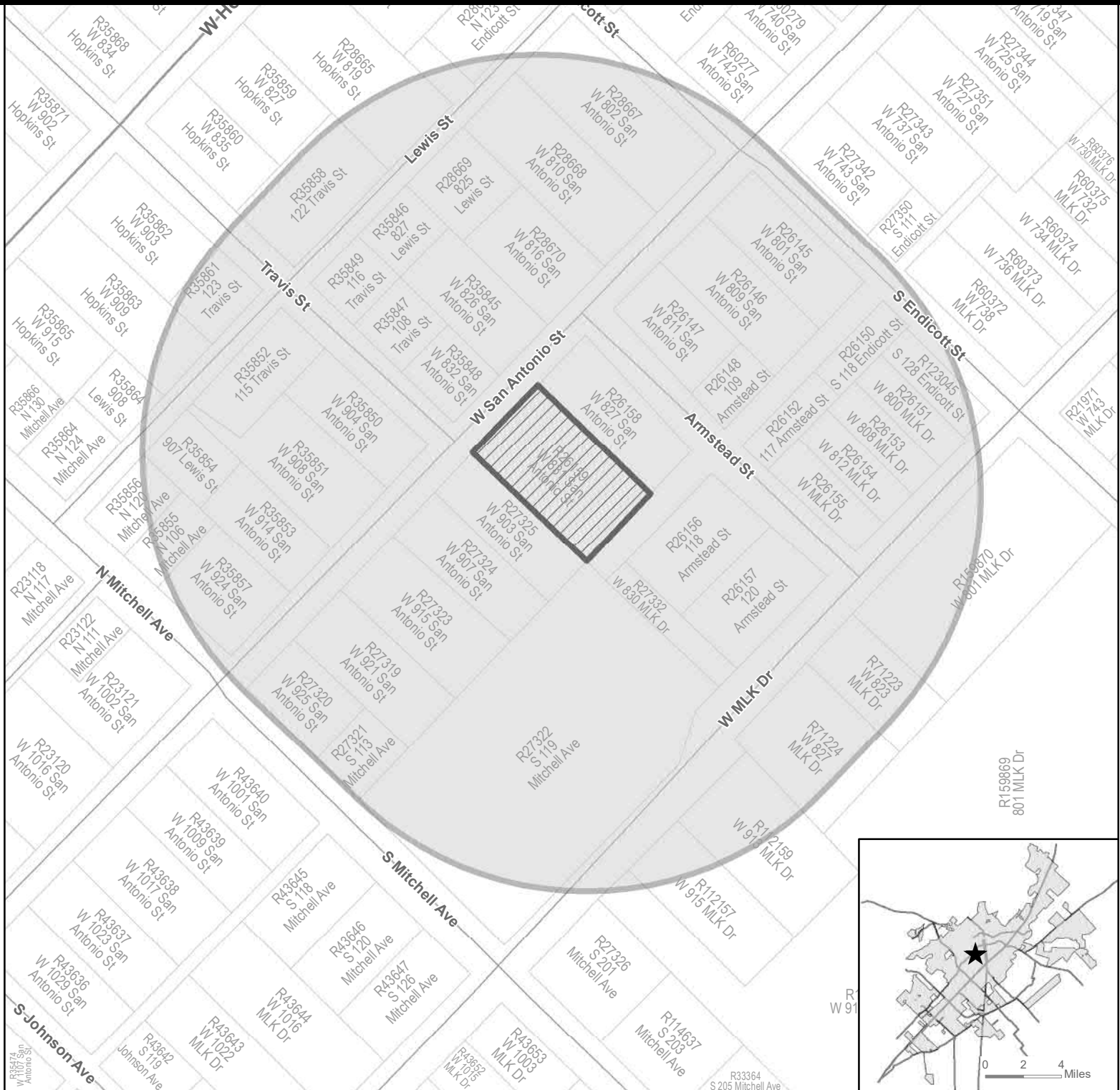
The City's Main Street and Planning and Development Services Departments will seek nominations through community engagement for the list. Anyone may nominate a business, or a business may self-nominate.

Benefits

Induction into the Legacy Business Registry is an indication of being one of San Marcos's business legends. It means the business is an iconic part of the city's culture and a thriving member of the community. Being listed will provide benefits to businesses, including:

- Marketing and promotion opportunities through the City's Main Street, Planning and Development Services, and Economic Development Departments and other partners through events, media and other announcement opportunities
- Awareness raising of the business to the community at large, including visitors to the city
- Window Decals promoting the Legacy Business as a major destination
- Special events held at the business to promote the registry, future nominations, and the business itself
- Coverage in the City's newsletter, Facebook, Twitter feeds, Instagram, and other media outlets
- Ability to provide input and feedback on how to partner with the City, or develop the Legacy Business Program further to help sustain businesses

HPC-21-03
400' Notification Buffer
Certificate of Appropriateness - 831 & 835 W San Antonio St





Staff Report
Historic Preservation Commission
HPC-21-03

Prepared by: Alison Brake, CNU-A, Historic Preservation Officer
Date of Meeting: June 3, 2021

Applicant Information:

Applicant: Elizabeth Howard
4942 Cherry Hills Drive
Corpus Christi, TX 78413

Property Owner: Same

Public Hearing Notice:

Mailed: May 21, 2021

Response: None as of report date.

Subject Properties:

Location: 831 and 835 West San Antonio Street
Historic District: San Antonio Street
Description: No distinct style for both (*My Historic SMTX*)
Date Constructed: c. 1930 for both (*My Historic SMTX*)
Priority Level: Medium for both (*My Historic SMTX*)
Listed on NRHP: No
RTHL: No

Applicant Request:

To install new exterior porch lights on both homes and install new address numbers on both homes.

Staff Recommendation:

- ☒ *Approval* - appears to meet criteria for approval
- ☐ *Approval with conditions* – see comments below
- ☐ *Denial* - does not appear to meet criteria for approval
- ☐ Commission needs to address policy issues regarding this case.

Staff Comments:

The subject properties are located on West San Antonio Street, south of Armstead Street in the San Antonio Street Historic District (“EXHIBIT A”); the two homes are located on a single lot. The properties were both evaluated in *My Historic SMTX* with medium preservation priorities (“EXHIBIT B”). Medium priority properties are those that could be contributing to an eligible National Register of Historic Places (NRHP) or local historic district. These resources may also have significant associations but are generally more common examples of types or styles or have experienced some alterations.

Photographs of the properties from *My Historic SMTX* are shown below:



831 W. San Antonio Street



835 W. San Antonio Street

The applicant's request to install new porch lights and install new address numbers was postponed by the Commission at the May regular meeting in order to give the applicant time to search for a more compatible style of light fixtures and address numbers.

Below are photographs of the existing address numbers and the exterior light fixtures, located just above the numbers:



The applicant states that the existing address numbers are made of flimsy plastic and is proposing new address numbers, also made of plastic but a higher grade to prevent deterioration over time. The proposed address numbers, seen below, are six-inches tall and are a serif font, which will be easily seen from the street.



The applicant supplied the following photographs of the existing address numbers for 835 West San Antonio to illustrate the size of the existing numbers, which are 5 ¼-inch tall:





The applicant would like to relocate the address numbers from the front porch to the gable centered on the porch opening for both homes so that the address is more prominently displayed; the six-inch numbers will fit within the siding dimensions which are 6 $\frac{3}{4}$ -inch in height.

The following photos highlight this new proposed location for each home:



831 W. San Antonio Street



835 W. San Antonio Street

Several homes in the San Antonio Street Historic District have their address numbers in this same general, centralized location – over the entrance to the home. Examples are shown below:



627 W. San Antonio Street



743 W. San Antonio Street



802 W. San Antonio Street



827 W. San Antonio Street

Additionally, the applicant is proposing to replace the existing exterior light fixtures with the light fixture in the photograph below. The fixture is made of metal and coated with a special material that makes it resistant to deterioration:



Staff finds the proposed new exterior light fixtures are consistent with the following recommended Historic District Design Guidelines:

- Light fixtures located on the building exterior, porches, pathways, and paved areas should be appropriate in design, scale, and character of the house. [Section C.3.2.6(8)]
According to data from the historic resources survey, the homes have no distinct style but were constructed circa 1930. Staff finds the boxy design of the proposed light fixture appropriate for the bungalow-style homes.

The Historic District Design Guidelines are silent in terms of address numbers on residential properties, but staff finds the proposed address numbers allow for the address to be clearly seen from the street while being compatible to the style of homes. Staff finds the proposed location of the new numbers meets Section 4.5.2.1(l)(1)(g) as many homes exhibit the same style of address numbers in the same centralized location.

Staff finds the proposed new light fixtures and proposed new address numbers are consistent with the following Secretary of the Interior's Standards (SOI's) for Rehabilitation Standards:

- The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided. [Number 2]
Installing the new light fixtures and address numbers in a location that does not distract from the façade of the buildings while still directing light to where it is needed and where the address can be seen clearly will help maintain consistency with this Standard. The serif font of the proposed address numbers retains the traditional look of the previous address numbers.
- New work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment. [Number 9]
Both the new light fixtures and the address numbers are compatible with the historic homes which allows the integrity to be protected.
- New additions in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired. [Number 10]
Both the light fixtures and the address numbers should be installed in a manner in which they can be removed in the future with as little or no damage to the historic structure.

Staff finds the request for various exterior alterations to each of the homes, which includes replacement of the skirting, installing new porch lights, and installing new address numbers consistent with the Historic District Design Guidelines [Section C.3.2.6(8)], the San Marcos Development Code [Section 4.5.2.1(l)(1)(g)], and the Secretary of the Interior Standards for Rehabilitation [Standards 2, 9 and 10]. Therefore, Staff recommends **approval of the request as submitted.**

EXHIBITS

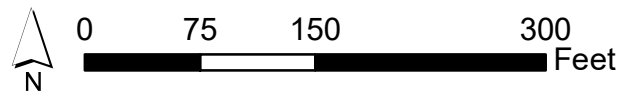
- A. Aerial Map
- B. Historic Resources Survey Inventory Sheets from *My Historic SMTX*
- C. Application
- D. San Marcos Development Code Sections 2.5.5.4 and 4.5.2.1(l)
- E. Secretary of the Interior Standards for Rehabilitation

HPC-21-03 Aerial View Certificate of Appropriateness—831 & 835 W San Antonio St

EXHIBIT A













- ★ Site Location
- Subject Property
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 4/5/2021

Local Id# / Image	Address	Current Name/ Historic Name	Current Function/ Historic Function	Stylistic Influence/ Historical Context	Construction Date	Existing Designation	Eligibility	Priority
R35845 	826 W SAN ANTONIO ST SAN MARCOS		Domestic	National Folk	ca. 1910	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local	Individually: No In District?: Yes Contributing	Medium
			Domestic			<input type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing		
San Antonio Street Local Historic District								
R26158 	827 W SAN ANTONIO ST SAN MARCOS		Domestic	Craftsman (influences)	1913	<input type="checkbox"/> NR <input checked="" type="checkbox"/> RTHL <input checked="" type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local	Individually: Yes In District?: Yes Contributing	High
		Sanders-Grosgebauer House	Domestic	Architecture, Community Development		<input type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing		
San Antonio Street Local Historic District								
R26159a 	831 W SAN ANTONIO ST SAN MARCOS		Domestic	No Style	ca. 1930	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local	Individually: No In District?: Yes Contributing	Medium
			Domestic			<input type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing		
San Antonio Street Local Historic District								
R35848a 	832 W SAN ANTONIO ST SAN MARCOS		Domestic	Minimal Traditional, Tudor Revival	ca. 1945	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local	Individually: No In District?: Yes Contributing	Medium
			Domestic			<input type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing		
San Antonio Street Local Historic District								
R35848b 	832B W SAN ANTONIO ST SAN MARCOS		Domestic	Minimal Traditional	2010	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local	Individually: No In District?: Yes Non-contributing	Low (not historic)
			N/A			<input type="checkbox"/> In District <input type="checkbox"/> Contributing		
San Antonio Street Local Historic District								

Local Id# / Image	Address	Current Name/ Historic Name	Current Function/ Historic Function	Stylistic Influence/ Historical Context	Construction Date	Existing Designation	Eligibility	Priority
R26159b 	835 W SAN ANTONIO ST SAN MARCOS		Domestic	No Style	ca. 1930	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing	Individually: No _____ In District?: Yes Contributing	Medium
			Domestic				San Antonio Street Local Historic District	
R27325 	903 W SAN ANTONIO ST SAN MARCOS		Domestic	Minimal Traditional	ca. 1930	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing	Individually: No _____ In District?: Yes Contributing	Medium
			Domestic				San Antonio Street Local Historic District	
R35850 	904 W SAN ANTONIO ST SAN MARCOS		Domestic	Queen Anne	ca. 1910	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing	Individually: Undetermined _____ In District?: Yes Contributing	High
			Domestic	Architecture, Community Development			San Antonio Street Local Historic District	
R27324 	907 W SAN ANTONIO ST SAN MARCOS		Domestic	Craftsman	ca. 1925	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input type="checkbox"/> In District <input type="checkbox"/> Contributing	Individually: No _____ In District?: Yes Non-contributing	Low
			Domestic				San Antonio Street Local Historic District	
R35851 	908-910 W SAN ANTONIO ST SAN MARCOS		Domestic		ca. 1955	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input type="checkbox"/> In District <input type="checkbox"/> Contributing	Individually: No _____ In District?: Yes Non-contributing	Low
			Domestic				San Antonio Street Local Historic District	

CERTIFICATE OF APPROPRIATENESS APPLICATION FORM

Updated: September, 2020



CONTACT INFORMATION

Applicant's Name	Elizabeth Howard	Property Owner	Elizabeth Howard
Company		Company	
Applicant's Mailing Address	4942 Cherry Hills Dr Corpus Christi, TX 78413	Owner's Mailing Address	4942 Cherry Hills Dr Corpus Christi, TX 78413
Applicant's Phone #	830-624-9969	Owner's Phone #	830-624-9969
Applicant's Email	betsyhoward0204@gmail.com	Owner's Email	betsyhoward0204@gmail.com

PROPERTY INFORMATION

Address of Proposed Work: 831/835 W San Antonio St
 Historic District: San Antonio Tax ID #: R 26159
 Legal Description: Lot 2 Block 4 Subdivision G W DONALSON

Historical Designation(s) of Property, if applicable:

☐ National Register of Historical Places ☐ Recorded Texas Historic Landmark

DESCRIPTION OF PROPOSED WORK

Please use this space to summarize the proposed work (*Please be specific. Use additional pages if necessary.*)

- Change the crawlspace skirting on the houses. The skirting that is there now is a hodgepodge of different materials ranging from metal to stucco to concrete plaster. I would like to have a skirting around both homes made from a hardiboard that looks like wood, but won't rot as quickly ran horizontally to closely match and blend with the existing siding.

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$0

Technology Fee \$13

TOTAL COST \$13

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

Section 2.5.5.4 Criteria for Approval

The following criteria shall be used to determine whether the application for a certificate of appropriateness shall be approved, conditionally approved or denied:

- (1) Consideration of the effect of the activity on historical, architectural or cultural character of the Historic District or Historic Landmark;
- (2) For Historic Districts, compliance with the Historic District regulations;
- (3) Whether the property owner would suffer extreme hardship, not including loss of profit, unless the certificate of appropriateness is issued;
- (4) The construction and repair standards and guidelines cited in Section 4.5.2.1

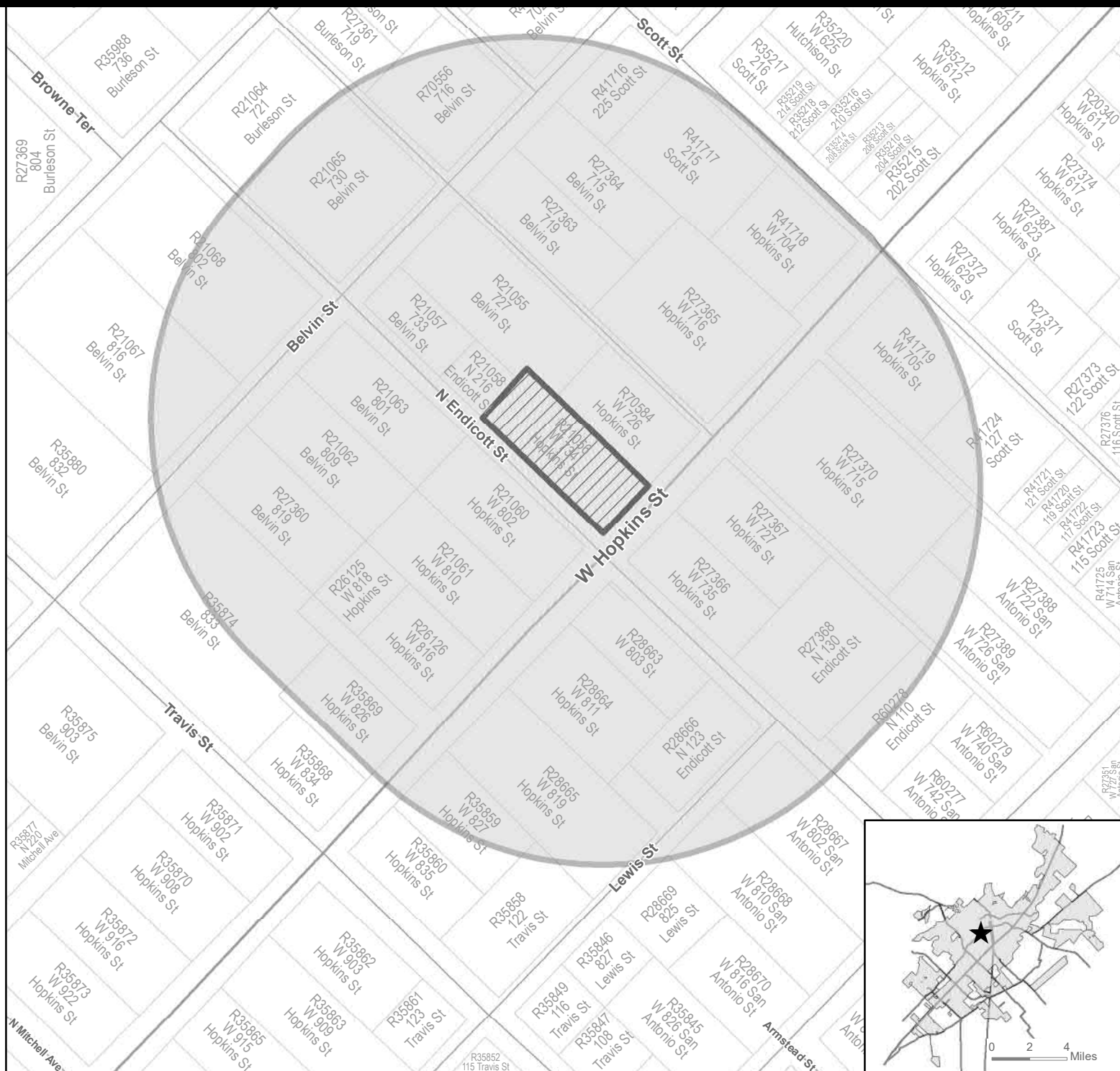
Section 4.5.2.1 Historic Districts**I. Construction and Repair Standards.**

- (1) New construction and existing buildings and structures and appurtenances thereof within local Historic Districts that are moved, reconstructed, materially altered or repaired shall be visually compatible with other buildings to which they are visually related generally in terms of the following factors; provided, however, these guidelines shall apply only to those exterior portions of buildings and sites visible from adjacent public streets:
 - a. **Height.** The height of a proposed building shall be visually compatible with adjacent buildings.
 - b. **Proportion of building's front facade.** The relationship of the width of a building to the height of the front elevation shall be visually compatible to the other buildings to which it is visually related.
 - c. **Proportion of openings within the facility.** The relationship of the width of the windows in a building shall be visually compatible with the other buildings to which it is visually related.
 - d. **Rhythm of solids to voids in front Facades.** The relationship of solids to voids in the front facade of a building shall be visually compatible with the other buildings to which it is visually related.
 - e. **Rhythm of spacing of Buildings on Streets.** The relationship of a building to the open space between it and adjoining buildings shall be visually compatible to the other buildings to which it is visually related.
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 - g. **Relationship of materials, texture and color.** The relationship of the materials, and texture of the exterior of a building including its windows and doors, shall be visually compatible with the predominant materials used in the other buildings to which it is visually related.
 - h. **Roof shapes.** The roof shape of a building shall be visually compatible with the other buildings to which it is visually related.
 - i. **Walls of continuity.** Appurtenances of a building including walls, fences, and building facades shall, if necessary, form cohesive walls of enclosure along a street, to ensure visual compatibility of the building to the other buildings to which it is visually related.
 - j. **Scale of a building.** The size of a building, the mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the other buildings to which it is visually related.
- (2) The Historic Preservation Commission may use as general guidelines, in addition to the specific guidelines contained this section, the Historic Design Guidelines located in Appendix C of the San Marcos Design Manual and the current Standards for Historic Preservation Projects issued by the United States Secretary of the Interior.

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1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
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10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

HPC-21-05
400' Notification Buffer
Various Exterior Alterations — 734 W. Hopkins St



Site Location



Subject Property



400' Buffer

Parcel



City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 5/11/2021



Staff Report
Historic Preservation Commission
HPC-21-05

Prepared by: Alison Brake, CNU-A, Historic Preservation Officer
Date of Meeting: June 3, 2021

Applicant Information:

Applicant: Wayne Latchford
Latchford Bachardy Architects
100 Melody Way, Suite C
Wimberley, TX 78676

Property Owner: Monty and Robin Ballard
734 West Hopkins Street
San Marcos, TX 78666

Public Hearing Notice:

Mailed: May 21, 2021

Response: None as of report date.

Subject Properties:

Location: 734 West Hopkins Street
Historic District: Hopkins Street
Description: Craftsman
Date Constructed: c. 1925 (*My Historic SMTX*)
Priority Level: High (*My Historic SMTX*)
Listed on NRHP: No
RTHL: No

Applicant Request:

To replace the aluminum siding on the existing, historic age carriage house with new Hardie Horizontal Lap Siding, install new, aluminum clad wood windows along the south elevation of the existing, historic age carriage house, and install a new awning over the new windows on the existing, historic age carriage house.

Staff Recommendation:

- ☒ *Approval* - appears to meet criteria for approval
- ☐ *Approval with conditions* – see comments below
- ☐ *Denial* - does not appear to meet criteria for approval
- ☐ Commission needs to address policy issues regarding this case.

Staff Comments:

The subject property is located on West Hopkins Street, at the intersection with North Endicott Street in the Hopkins Street Historic District ("EXHIBIT A"). The property was evaluated in *My Historic SMTX* with a high preservation priority ("EXHIBIT B"). High priority properties are those resources that have retained integrity, are significant or rare examples of a particular type or style, and/or have significant associations with the community. Typically, high priority properties are recommended as potentially National Register of Historic Places (NRHP) or local landmark eligible

either individually or as part of a potential historic district. The historic resources survey states that the property has high integrity and is a significant/intact example of a 1920s Craftsman bungalow that reflects early 20th Century neighborhood development. The survey also notes that the home is reportedly a Sears catalog home. It states that during a renovation to the interior, the previous homeowners found Sears stamped on lumber leading to the theory.

Photographs of the property from *My Historic SMTX* are shown below:



The applicant is proposing exterior renovations to the existing carriage house, located behind the main home, facing Endicott Street. The renovations include the removal of the existing aluminum siding and replacing it with horizontal Hardie lap siding to match the profile of the siding on the main home as well as the installation of three new aluminum clad wood windows along the side elevation facing the main residence and installation of a new wooden awning above the new windows.

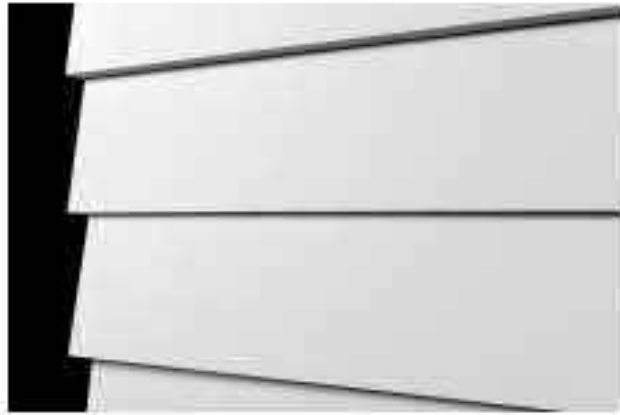
The plans submitted by the applicant for the carriage house indicate some of the proposed work meets the criteria for exceptions in Section 2.5.5.1(C): repairing the existing soffit and rafter tails, replacing the metal shake roofing with new metal shake roofing material, repairing the existing wood windows on the opposite side elevation, and replacing the existing sliding doors with new sliding doors that will match in size and design, including a similar divided light pattern on the windows.

The applicant supplied a photograph of the existing carriage house which was noted in *My Historic SMTX* as historic age although no date of construction was listed.



View of Carriage House from Endicott Street

The applicant is proposing to remove the existing aluminum siding, which the applicant states is not original to the structure and replace it with new horizontal Hardie lap siding to match the siding on the existing residence. The applicant supplied an example of the siding material with the renderings, which shows a smooth finish fiber cement siding. This is in keeping with preservation best practices that explain textured fiber cement siding (faux wood grain) is not compatible with historic buildings as it exhibits an exaggerated wood grain pattern that does not match the texture of traditional, painted, wood siding. The proposed siding is shown on the next page.



Hardie Lap Siding – Artisan series

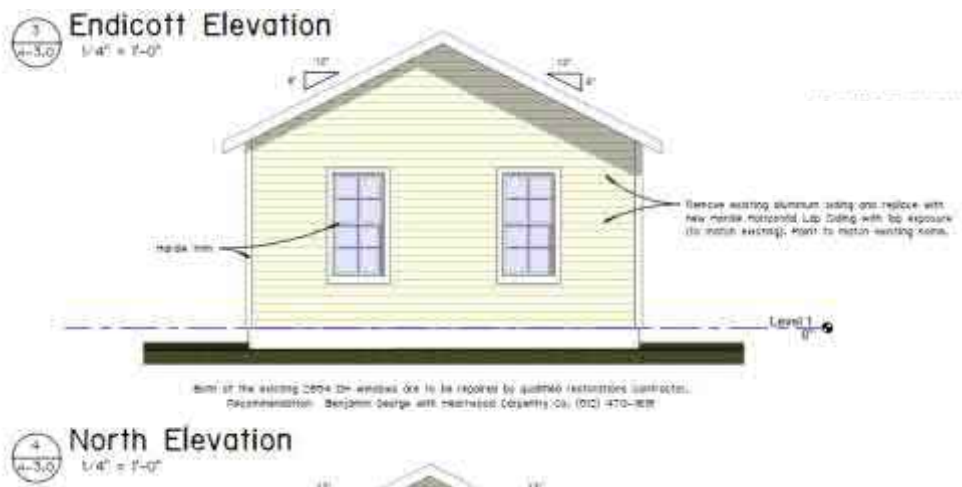
The renderings of the proposed renovated carriage house, submitted by the applicant, have been included in the packet as “EXHIBIT C” and are shown below.



2 3-D Exterior View
A-3.0



3 Endicott Elevation



The south elevation shows three new fixed aluminum clad wood windows. This elevation faces the main residence as seen in the attached site plan (“EXHIBIT D”).



Staff finds the request for the installation of new windows along the side façade is not consistent with the Historic District Design Guidelines Section C.1.2.4(8). The window size is smaller than those on the main home and the existing windows on the opposite side of the structure. While this does not meet Section 4.5.2.1(l)(1)(c) of the Development Code, neither side elevation is very visible from the right-of-way; this is due to the picket fence located along Endicott Street. The recommendations found in the Historic District Design Guidelines that are specific to windows are mainly focused on replacement windows in historic structures. Therefore, staff turned to the Secretary of the Interior’s Standards for the Treatment of Historic Properties under the treatment of Rehabilitation. Adding new window openings on rear or other secondary, less-visible elevations, if required by a new use is recommended by the Secretary of the Interior under the recommendations for alterations and addition for a new use, included. The plans show the carriage house being utilized as a game room that includes the addition of a bathroom with a shower along that side of the carriage house.

While the Historic District Design Guidelines are silent in terms of awnings over windows for residential properties, Technical Preservation Brief Number 44 (National Parks Service) state that generally, traditional shed awnings are appropriate for most historic window, door, and storefronts installations. The applicant is proposing to renovate and adaptively reuse the existing carriage

house rather than remove the building from the site. Staff finds keeping the structure and reusing it retains the spatial relationship with the main structure, consistent with the Secretary of the Interior's Standards for Rehabilitation Standard Number 2: "*The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.*"

There is no indication that the aluminum siding on the carriage house is original. While promotion of the use of aluminum siding in architecture existed in the 1920s, around the time the main structure was built, it was not until the mid- to late-1930s that modern aluminum siding was invented. This leads staff to believe that the siding on the existing carriage house is not original to the structure; replacement of this siding is not removing original material. Additionally, *My Historic SMTX* notes that the previous resources survey, the 1997 *Heritage Neighborhoods Historic Resources Survey* indicates that the main structure was given a medium preservation priority rating due to the aluminum siding on it. The property's preservation priority rating increased to a high preservation priority during the recent historic resources survey more than likely due to the removal and replacement of the aluminum siding. Staff presumes the removal of the existing aluminum siding on the carriage house will have the same effect and help to retain the preservation rating, even with the additional alterations proposed to the accessory structure. Choosing a smooth finish fiber cement siding, the Hardie siding, which matches the existing historic siding in design and profile is more compatible with the main historic home. Staff finds this meets Section 4.5.2.1(I)(1)(g) of the San Marcos Development Code and is also consistent with the Secretary of the Interior's Standards for Rehabilitation Standard Number 2, noted previously.

While staff finds the request to install new aluminum clad wood windows not consistent with Section 4.5.2.1(I)(1)(c) and not consistent with the Historic District Design Guidelines [Section C.1.2.4(8)], they are minimally visible and are consistent with recommendations for alterations and addition for a new use from the SOI's Standards for the Treatment of Historic Properties. Staff finds the request to replace the aluminum siding on the existing, historic age carriage house with new Hardie Horizontal Lap Siding and to install a new awning over the new windows on the existing historic age carriage house consistent with the San Marcos Development Code [Section 4.5.2.1(I)(1)(g)] and the Secretary of the Interior Standards for Rehabilitation [Standard 2]. Therefore, Staff recommends **approval of the request as submitted.**

EXHIBITS

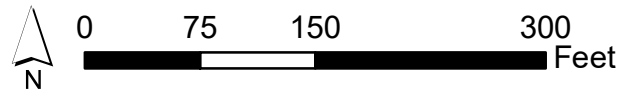
- A. Aerial Map
- B. Historic Resources Survey Form from *My Historic SMTX*
- C. Architectural Plans
- D. Site Plan
- E. Application
- F. San Marcos Development Code Sections 2.5.5.4 and 4.5.2.1(I)
- G. Secretary of the Interior Standards for Rehabilitation

HPC-21-05 Aerial View 734 W Hopkins St

EXHIBIT A



- ★ Site Location
- Subject Property
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 5/12/2021

TEXAS HISTORICAL COMMISSION

154

Historic Resources Survey Form

Project #: 00046

Local Id: R21056

County: Hays

City: SAN MARCOS

Address No: 734

Street Name: W HOPKINS ST

Block: 2

SECTION 1

Basic Inventory Information

Current Name:

Historic Name:

Owner Information Name: MCGLOTHLIN JOHN & MARISSA

Address: 133 W SAN ANTONIO ST ST City: SAN MARCOS State: TX Zip: 78666

Geographic Location Latitude: 29.87937 Longitude: -97.949711 Parcel Id Phase 2

Legal Description (Lot\Block): R H BELVIN ADDN, BLOCK 1, Lot PT OF 2-3, ACRES 0.37

Addition/Subdivision: Year:

Property Type: Building Listed NR District Name: Hopkins Street Local Historic District

Current Designations: ☐ NR District☐ NHL ☐ NR ☐ RTHL ☐ OTHM ☐ HTC ☐ SAL ☒ Local ☐ Other Is property contributing? ☒

Architect:

Builder

Construction Date: ca. 1925

Source Field survey

Recorded By: Elizabeth Porterfield/Hicks & Company

Date Recorded: 2/1/2019

Function

Current: Domestic

Historic: Domestic



SECTION 2

Architectural Description

Ca. 1925 Craftsman bungalow with minimal Asian influences in curving wing walls at masonry porch piers and wood "screen" porch balustrade; cross-gabled roof of wood shingles, wood siding, wood windows, and box column porch supports on stucco battered piers; per neighbor, house was recently renovated and discovered to be a Sears catalog home (Sears stamped on lumber); identified as medium priority in 1997 Heritage Neighborhood Survey due to aluminum siding at that time (no longer in place)

☐ Additions, modifications Explain:☐ Relocated Explain:

TEXAS HISTORICAL COMMISSION

154

Historic Resources Survey Form

Project #: 00046

Local Id: R21056

County: Hays

City: SAN MARCOS

Address No: 734

Street Name: W HOPKINS ST

Block: 2

Stylistic Influence

Craftsman

Structural Details

Roof Form

Cross-Gabled

Plan

Rectangular, Bungalow

Roof Materials

Wood Shingles

Chimneys

Stuccoed, Exterior

Wall Materials

Wood Siding; Stucco (porch supports)

Porches/Canopies

FORM Inset**SUPPORT** Box columns, Masonry piers**MATERIAL**

Windows

Wood, Double hung,

Doors (Primary Entrance)

Other

Landscape Features

ANCILLARY BUILDINGS:

Garage: Hist. age garage

Barn:

Shed:

Other:

SECTION 3 Historical Information

Associated Historical Context

Architecture, Community Development

Applicable National Register (NR) Criteria:

- ☒ **A** Associated with events that have made a significant contribution to the broad pattern of our history
- ☐ **B** Associated with the lives of persons significant in our past
- ☒ **C** Embodies the distinctive characteristics of a type, period or method of construction or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components lack individual distinctions
- ☐ **D** Has yielded, or is likely to yield, information important in prehistory of history

Areas of Significance:

Significant example of 1920s bungalow and reflects early 20th cent. neighborhood development

Periods of Significance:

ca. 1925-1975

Levels of Significance: ☐ National ☐ State ☒ Local**Integrity:** ☒ Location ☒ Design ☒ Materials ☒ Workmanship ☒ Setting ☒ Feeling ☒ Association

Integrity Notes:

High integrity

Individually Eligible? Yes**Within Potential NR District?:** Yes**Is Property Contributing?:** ☒**Potential NR District Name:** Hopkins Street Historic District**Priority** High**Explain:** High priority; significant example of style/type; reportedly a Sears catalog house

Other Information

Is prior documentation available for this resource? Yes**Type** ☐ HABS ☒ Survey ☐ Other

Documentation Details:

1997 San Marcos Heritage Neighborhood Survey; neighborhood resident



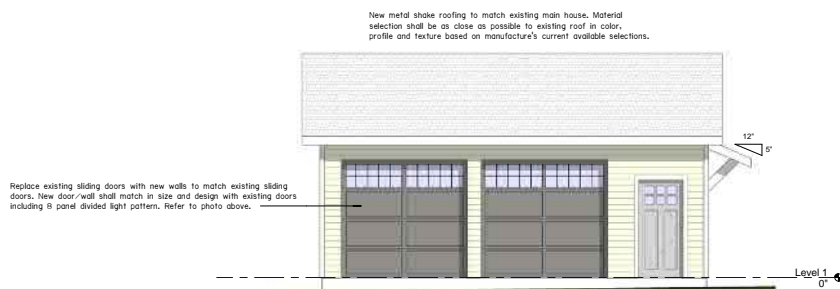
Photos show the existing soffit and rafter tails of the Carriage House. Remove existing roofing and decking above the rafters and repair and replace as needed.



View of Carriage House from Endicott Street



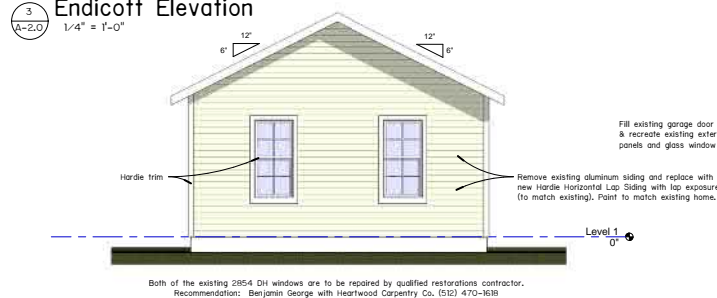
2
A-2.0
3-D Exterior View



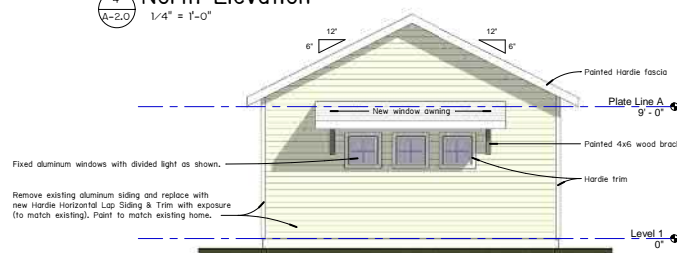
3
A-2.0
Endicott Elevation
1/4" = 1'-0"



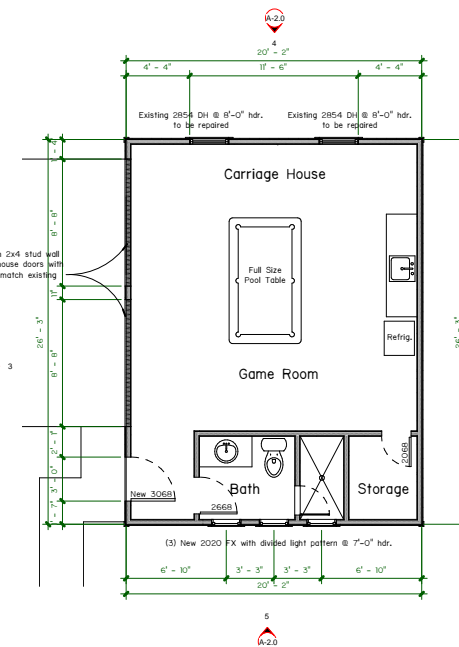
Existing Carriage House window on North Elevation to be repaired by a qualified restoration specialist.



4
A-2.0
North Elevation
1/4" = 1'-0"



5
A-2.0
South Elevation
1/4" = 1'-0"



1
A-2.0
Carriage House Floor Plan
1/4" = 1'-0"



Latchford
Bachardy
Architects

100 Melody Way, Suite C
Wimberley, Texas 78676
Office / FAX: 512-847-0802
info@lb-architects.com
www.lb-architects.com

A New Residence for:
Monty & Robin Ballard
734 W. Hopkins Street, San Marcos TX 78666

project #: 2027
drawn by: WL
checked by: WL
issue purpose:
SUBMITTAL SET

date 5/20/2021 10:43:26 AM

sheet contents:
Carriage House

sheet number:
A-2.0
2 of 2

CERTIFICATE OF APPROPRIATENESS APPLICATION FORM

Updated: September, 2020



CONTACT INFORMATION

Applicant's Name		Property Owner	
Company		Company	
Applicant's Mailing Address		Owner's Mailing Address	
Applicant's Phone #		Owner's Phone #	
Applicant's Email		Owner's Email	

PROPERTY INFORMATION

Address of Proposed Work: _____

Historic District: _____ Tax ID #: R _____

Legal Description: Lot _____ Block _____ Subdivision _____

Historical Designation(s) of Property, if applicable: ☐ National ☐ Registered Texas Historic Landmark

DESCRIPTION OF PROPOSED WORK

Please use this space to summarize the proposed work (*Please be specific. Use additional pages if necessary.*)

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

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Technology Fee \$13

TOTAL COST \$13

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AGREEMENT TO THE PLACEMENT OF NOTIFICATION SIGNS AND ACKNOWLEDGEMENT OF NOTIFICATION REQUIREMENTS

The City of San Marcos Development Code requires public notification in the form of notification signs on the subject property, published notice, and / or personal notice based on the type of application presented to the Planning Commission and / or City Council.

- Notification Signs: if required by code, staff shall place notification signs on each street adjacent to the subject property and must be placed in a visible, unobstructed location near the property line. It is unlawful for a person to alter any notification sign, or to remove it while the request is pending. However, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements. ***It shall be the responsibility of the applicant to periodically check sign locations to verify that the signs remain in place had have not been vandalized or removed. The applicant shall immediately notify the responsible official of any missing or defective signs. It is unlawful for a person to alter any notification sign, or to remove it while the case is pending; however, any removal or alteration that is beyond the control of the applicant shall not constitute a failure to meet notification requirements.***
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I have read the above statements and agree to the required public notification, as required, based on the attached application. The City's Planning and Development Services Department staff has my permission to place signs, as required, on the property and I will notify City staff if the sign(s) is/are damaged, moved or removed. I understand the process of notification and public hearing and hereby submit the attached application for review by the City.

Signature: _____

Date: _____

Print Name: _____

Form Updated October, 2019

PROPERTY OWNER AUTHORIZATION

I, _____ (owner name) on behalf of
_____ (company, if applicable) acknowledge that I/we
am/are the rightful owner of the property located at
_____ (address).

I hereby authorize _____ (agent name) on behalf of
_____ (agent company) to file this application for
_____ (application type), and, if necessary, to work with
the Responsible Official / Department on my behalf throughout the process.

Signature of Owner: _____ Date: _____

Printed Name, Title: _____

Signature of Agent: _____ Date: _____

Printed Name, Title: _____

Form Updated October, 2019

Section 2.5.5.4 Criteria for Approval

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4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
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WINDOWS

RECOMMENDED

NOT RECOMMENDED

Alterations and Additions for a New Use

Adding new window openings on rear or other secondary, less-visible elevations, if required by a new use. The new openings and the windows in them should be compatible with the overall design of the building but, in most cases, not duplicate the historic fenestration.

Changing the number, location, size, or glazing pattern of windows on primary or highly-visible elevations which will alter the historic character of the building.

Cutting new openings on character-defining elevations or cutting new openings that damage or destroy significant features.

Adding balconies at existing window openings or new window openings on primary or other highly-visible elevations where balconies never existed and, therefore, would be incompatible with the historic character of the building.

Replacing windows that are too deteriorated to repair using the same sash and pane configuration, but with new windows that operate differently, if necessary, to accommodate a new use. Any change must have minimal visual impact. Examples could include replacing hopper or awning windows with casement windows, or adding a realigned and enlarged operable portion of industrial steel windows to meet life-safety codes.

Replacing a window that contributes to the historic character of the building with a new window that is different in design (such as glass divisions or muntin profiles), dimensions, materials (wood, metal, or glass), finish or color, or location that will have a noticeably different appearance from the historic windows, which may negatively impact the character of the building.

Installing impact-resistant glazing, when necessary for security, so that it is compatible with the historic windows and does not damage them or negatively impact their character.

Installing impact-resistant glazing, when necessary for security, that is incompatible with the historic windows and that damages them or negatively impacts their character.

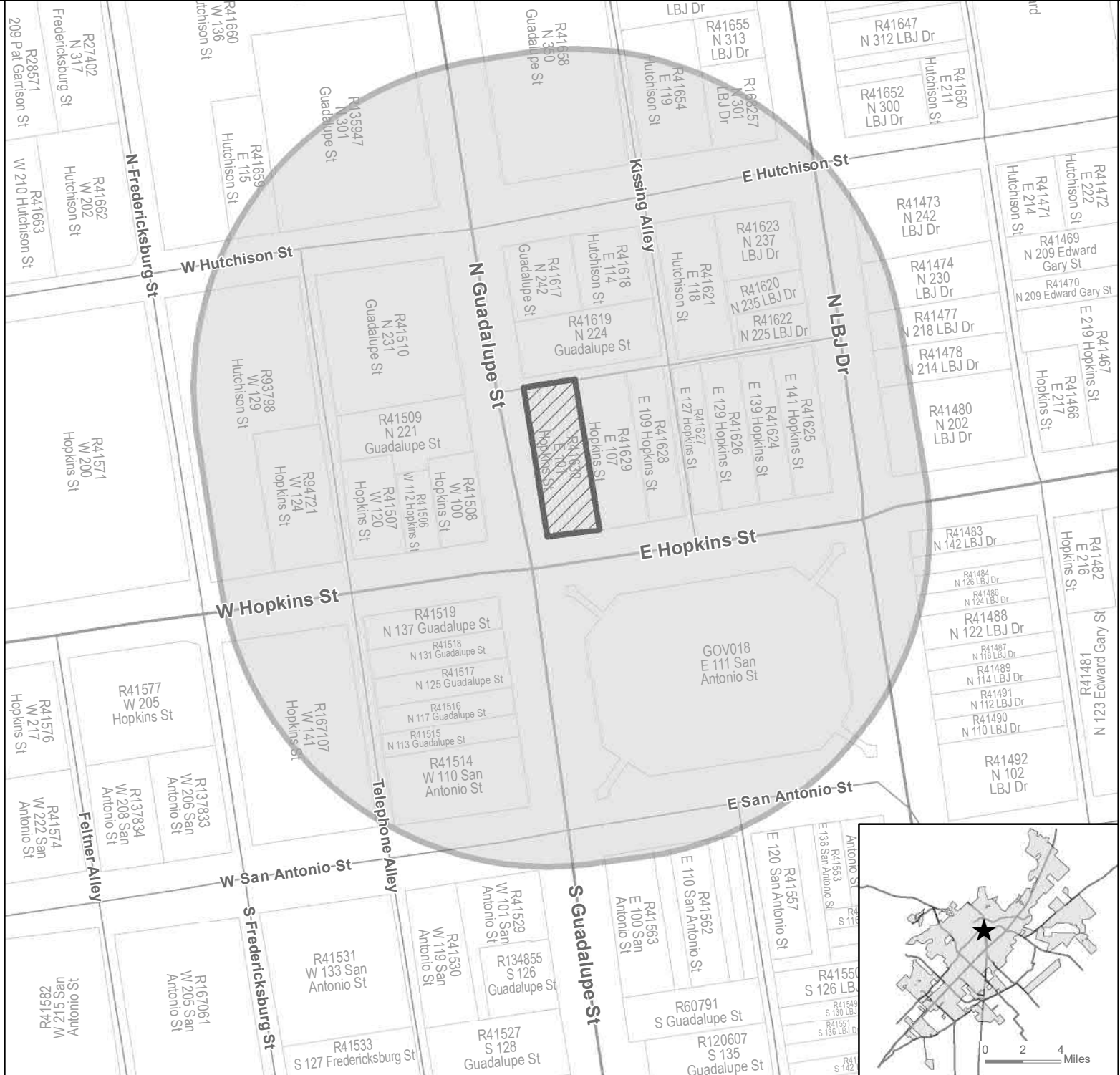
Using compatible window treatments (such as frosted glass, appropriate shades or blinds, or shutters) to retain the historic character of the building when it is necessary to conceal mechanical equipment, for example, that the new use requires be placed in a location behind a window or windows on a primary or highly-visible elevation.





Removing a character-defining window to conceal mechanical equipment or to provide privacy for a new use of the building by blocking up the opening.

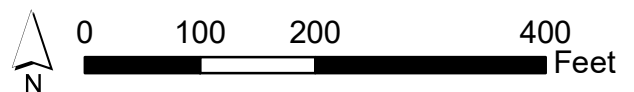
HPC-21-06

400' Notification Buffer

Exterior Alterations to Storefront Windows & Kickplate — 101 E. Hopkins St



- ★ Site Location
-  Subject Property
-  400' Buffer
-  Parcel
-  City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries.

Map Date: 5/11/2021



Staff Report
Historic Preservation Commission
HPC-21-06

Prepared by: Alison Brake, CNU-A, Historic Preservation Officer
Date of Meeting: June 3, 2021

Applicant Information:

Applicant: John Mark Slack
714 Burleson Street
San Marcos, TX 78666

Property Owner: Carl Aiken
242 Whitney Run
Buda, TX 78610

Public Hearing Notice:

Mailed: May 21, 2021
Response: None as of report date.

Subject Properties:

Location: 105 East Hopkins Street
Historic District: Downtown
Description: Two-part commercial block building
Date Constructed: c. 1905
Priority Level: High (*My Historic SMTX*)
Listed on NRHP: Yes, within Hays County Courthouse NRHP District
RTHL: No

Applicant Request:

To allow exterior alterations to the storefront windows which include the addition of rope trim detailing and addition of decorative trim to the kickplate.

Staff Recommendation:

- ☒ *Approval* - appears to meet criteria for approval
- ☐ *Approval with conditions* – see comments below
- ☐ *Denial* - does not appear to meet criteria for approval
- ☐ Commission needs to address policy issues regarding this case.

Staff Comments:

The subject property is located along East Hopkins Street across from the courthouse and was the site of the clothing store, River Rose ("EXHIBIT A"). The building was evaluated in *My Historic SMTX* with a high preservation priority level ("EXHIBIT B"). High priority properties are those resources that have retained integrity, are significant or rare examples of a particular type or style, and/or have significant associations with the community. Typically, high priority properties are recommended as potentially National Register of Historic Places (NRHP) or local landmark eligible either individually or as part of a potential historic district based on the results of research and survey efforts. While this building is not individually listed on the NRHP, it is located within a NRHP-listed historic district: The Hays County Courthouse Square.

A photograph of the building from *My Historic SMTX* is shown below:



On March 31, Code Compliance notified staff that a complaint was received regarding work being conducted without permits. The picture below was taken by Code Compliance officers and submitted as part of the report to staff:



Staff is working with the applicant to come into compliance with Chapter 2, Article 5, Division 6: Administrative Certificates of Appropriateness which are required for the painting of structures located within the Downtown Historic District.

In reviewing the information from Code Compliance, staff noticed that there were decorative trim elements affixed to the storefront windows and to the kickplate (the portion below the display windows); shown below. Staff notified the applicant that a Certificate of Appropriateness was required, and an application was submitted.





The Historic District Design Guidelines do not specifically address this type of addition to commercial buildings. They do speak to the importance of maintaining the ground floor rhythm [Section C.2.1(D)]. Staff finds the decorative trim elements do not disrupt the rhythm as discussed in this Section. The Guidelines also recommend that display windows should remain transparent and not be altered in size [Section C.2.2.1(F)]. Staff finds that the addition of the decorative trim does not alter the size nor the transparency of the windows.

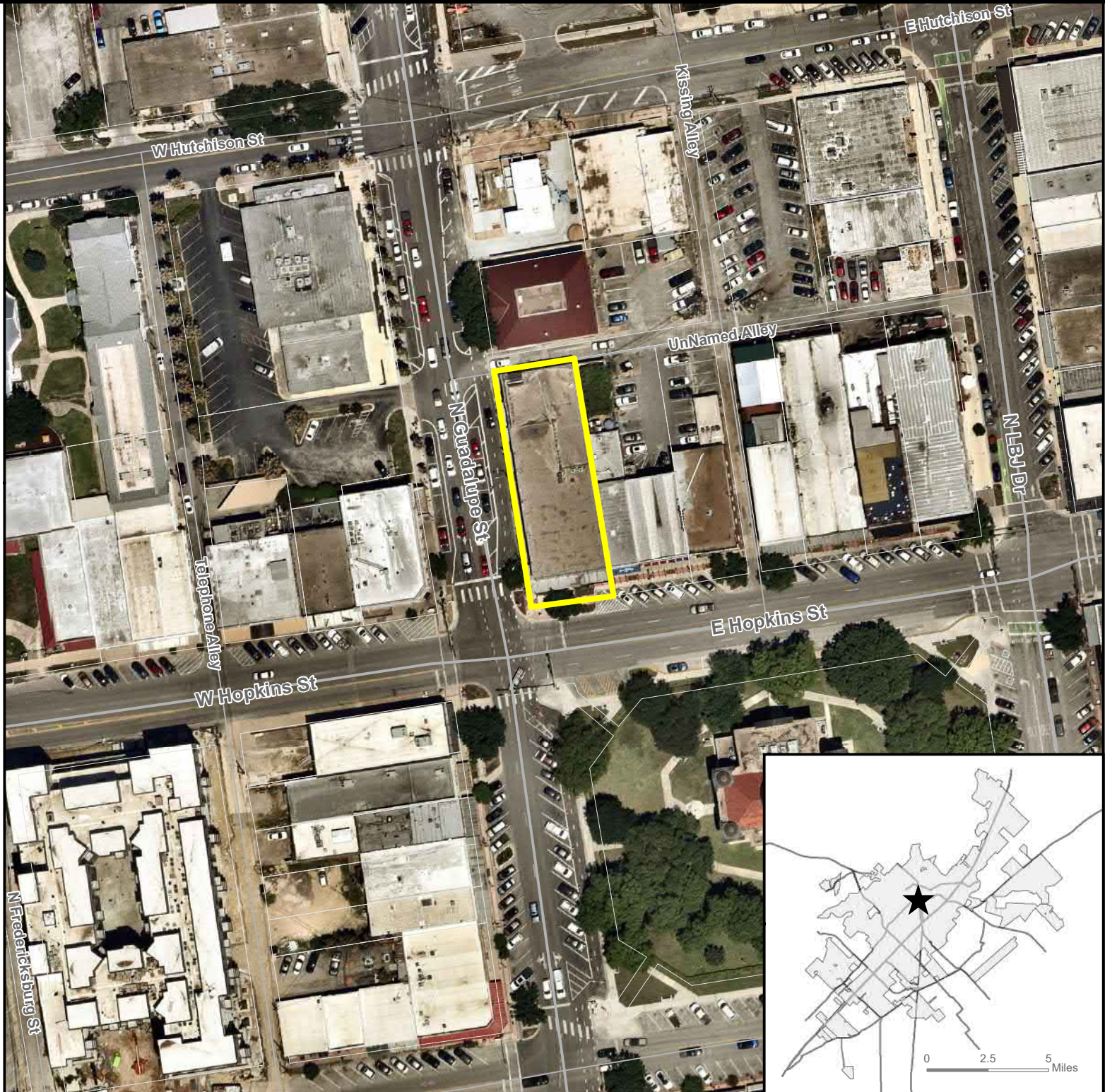
The Secretary of the Interior's Standards for Rehabilitation Standard Number 4 states: *Changes to a property that have acquired historic significance in their own right will be retained and preserved.* Standard Number 9 states: *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.* According to the *My Historic SMTX* database, the storefront windows date to around 1960 which would mean that they are of historic age. That said, staff finds that the request is consistent with both Standards 4 and 9 as the applicant is retaining the windows. Standard Number 10 states: *"New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."* Staff confirmed that the trim was added using an adhesive and believes that it could be removed in the future without impairing the essential form and integrity of the historic property; If removed, removal of the trim should be done in a very gentle and deliberate manner.

Staff finds the request to allow exterior alterations to the storefront windows which include the addition of rope trim detailing and addition of decorative trim to the kickplate is consistent with the Historic District Design Guidelines [Section C.2.1(D) and Section C.2.2.1(F)] and the Secretary of the Interior Standards [Standard Numbers 4, 9, and 10]. Therefore, staff concludes that the request will have no negative effect on the historical, architectural, or cultural character of the historic district, and recommends **approval as submitted.**

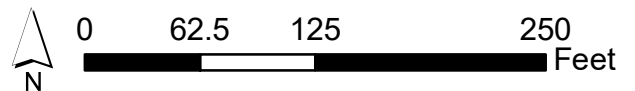
EXHIBITS

- A. Aerial Map
- B. Historic Resources Survey Inventory Form from *My Historic SMTX*
- C. Application
- D. San Marcos Development Code Sections 2.5.5.4 and 4.5.2.1(I)
- E. Secretary of the Interior Standards for Rehabilitation

EXHIBIT A



- ★ Site Location
- Subject Property
- Parcel
- City Limit



This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 5/12/2021

TEXAS HISTORICAL COMMISSION

943

Historic Resources Survey Form

Project #: 00046

Local Id: R41630a

County: Hays

City: SAN MARCOS

Address No: 101

Street Name: E HOPKINS ST

Block: 100

SECTION 1

Basic Inventory Information

Current Name: Central Texas Ballet/River Rose Clothing

Historic Name:

Owner Information Name: AIKEN, C H

Address: 1005 BURLESON ST

City: SAN MARCOS

State: TX

Zip: 78666

Geographic Location Latitude: 29.883333 Longitude: -97.941305 Parcel Id Phase 1

Legal Description (Lot\Block): ORIGINAL TOWN OF SAN MARCOS, BLOCK 20, Lot W 3/4 OF 8, ACRES 0.2076

Addition/Subdivision:

Year:

Property Type: Building

Listed NR District Name: Hays County Courthouse NRHP District & Downtown Local Historic District

Current Designations: ☒ NR District☐ NHL ☐ NR ☐ RTHL ☐ OTHM ☐ HTC ☐ SAL ☒ Local ☐ Other Is property contributing? ☒

Architect:

Builder

Construction Date: ca. 1905

Source NR Nom. Hays County Courthouse Hist. Dist.

Recorded By: Elizabeth Porterfield/Hicks & Company

Date Recorded: 11/13/2018

Function

Current: Commerce/Trade

Historic: Commerce/Trade



SECTION 2

Architectural Description

Ca. 1905 two-part block with corbeled brick cornice and stringcourse, Classical window heads on second floor, 2/2-light wood-framed windows with alternating segmental arches on second floor side elevation, original transoms in left bay; storefronts ca. 1960s aluminum windows with Carrera glass panels on left bay; originally a general store (1906); identified as non-contributing in 1992 NRHP nom. due to aluminum slipcover on façade; today, upper level is highly intact and architecturally significant

☒ Additions, modifications **Explain:** Aluminum windows and glass panels at store front☐ Relocated **Explain:**

Project #: 00046

Historic Resources Survey Form

Local Id: R41630a

County: Hays

City: SAN MARCOS

Address No: 101

Street Name: E HOPKINS ST

Block: 100

Stylistic Influence

Commercial Style

Structural Details

Roof Form

Flat with parapet

Plan

Rectangular

Roof Materials

Not visible

Chimneys

Wall Materials

Brick

Porches/Canopies

FORM Flat Roof (metal awning)**SUPPORT** Suspension rods**MATERIAL**

Windows

Double hung, Wood (second); Fixed (first)

Doors (Primary Entrance)

Single

Landscape Features

ANCILLARY BUILDINGS:

Garage:

Barn:

Shed:

Other:

SECTION 3 Historical Information

Associated Historical Context

Architecture

Applicable National Register (NR) Criteria:

- ☐ **A** Associated with events that have made a significant contribution to the broad pattern of our history
- ☐ **B** Associated with the lives of persons significant in our past
- ☒ **C** Embodies the distinctive characteristics of a type, period or method of construction or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components lack individual distinctions
- ☐ **D** Has yielded, or is likely to yield, information important in prehistory of history

Areas of Significance:

Architecture as significant example of early 20th-century commercial building

Periods of Significance:

ca. 1905-1975

Levels of Significance: ☐ National ☐ State ☒ Local**Integrity:** ☒ Location ☒ Design ☒ Materials ☒ Workmanship ☒ Setting ☒ Feeling ☐ Association

Integrity Notes:

Original storefront design altered with ca. 1950s renovations that may be significant examples of mid-century style

Individually Eligible? Yes**Within Potential NR District?:** No**Is Property Contributing?:** ☐**Potential NR District Name:****Priority** High**Explain:** Within NRHP Hays Co. Courthouse Historic District and Downtown LHD

Other Information

Is prior documentation available for this resource? Yes**Type** ☐ HABS ☐ Survey ☒ Other

Documentation Details:

NR Nom Hays Co. Courthouse Hist. Dist., 1992; Downtown LHD Ordinance, Downtown Hist. Survey, Terry Colley, 1985

CERTIFICATE OF APPROPRIATENESS APPLICATION FORM

Updated: September, 2020



CONTACT INFORMATION

Applicant's Name	John Mark Slack	Property Owner	Carl Aiken
Company		Company	
Applicant's Mailing Address	714 burlson street	Owner's Mailing Address	
Applicant's Phone #	8302558733	Owner's Phone #	5128205858
Applicant's Email	Johnmark1819@gmail.com	Owner's Email	chaja76@gmail.com

PROPERTY INFORMATION

Address of Proposed Work: Trim on front store front

Historic District: Downtown Tax ID #: R

Legal Description: Lot W 3/4 of 8 Block 20 Subdivision _____

Historical Designation(s) of Property, if applicable:

☒ National Register of Historical Places ☐ Recorded Texas Historic Landmark

DESCRIPTION OF PROPOSED WORK

Please use this space to summarize the proposed work (*Please be specific. Use additional pages if necessary.*)

We are proposing trim on front of store front.
painted

Stuart Gold HC-10

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$0

Technology Fee \$13

TOTAL COST \$13

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/



CHECKLIST FOR CERTIFICATE OF APPROPRIATENESS APPLICATION

The following items are requested for consideration of this application. These and additional items may be required, at the request of the Department, in order to determine the application complete and filed.		Comments
<input checked="" type="checkbox"/>	<p><i>Pre-development meeting with staff is required unless waived by the Responsible Official</i></p> <ul style="list-style-type: none"> Please visit http://sanmarcostx.gov/1123/Pre-Development-Meetings to schedule, or email planninginfo@sanmarcostx.gov with any questions. 	
<input checked="" type="checkbox"/>	Completed Application for Certificate of Appropriateness	
<input checked="" type="checkbox"/>	Detailed description of all proposed activities to be undertaken in the historic district or at the historic landmark	
<input checked="" type="checkbox"/>	Photograph(s) of the property and area of alteration	
<input checked="" type="checkbox"/>	<p>Scaled drawing illustrating all proposed activities, including:</p> <ul style="list-style-type: none"> Building Elevations showing the proposed change Exterior Building Material Description (consider providing a sample or photograph) Site Plan 	
<input checked="" type="checkbox"/>	Notification Authorization	
<input checked="" type="checkbox"/>	Authorization to represent the property owner, if the applicant is not the owner	
<input checked="" type="checkbox"/>	Applications for signs must include a City Sign Permit application & diagram of the sign with dimensions	
<input checked="" type="checkbox"/>	<p>Application Filing Fee \$0</p> <p>Technology Fee \$13</p>	
<p>**San Marcos Development Code Section 2.3.1.1(C): "Every application accepted by the responsible official for filing shall be subject to a determination of completeness...the responsible official is not required to review an application unless it is complete..."</p>		

PROPERTY OWNER AUTHORIZATION

I, CARL Aiken (owner) acknowledge that I am the rightful owner of the property located at 101-105 E. Hopkins St. (address).

I hereby authorize JOHN MARK SLACK (agent name) to file this application for PAINTING (application type), and, if necessary, to work with the Responsible Official / Department on my behalf throughout the process.

Signature of Property Owner: C. Aiken Date: 4-6-21

Section 2.5.5.4 Criteria for Approval

The following criteria shall be used to determine whether the application for a certificate of appropriateness shall be approved, conditionally approved or denied:

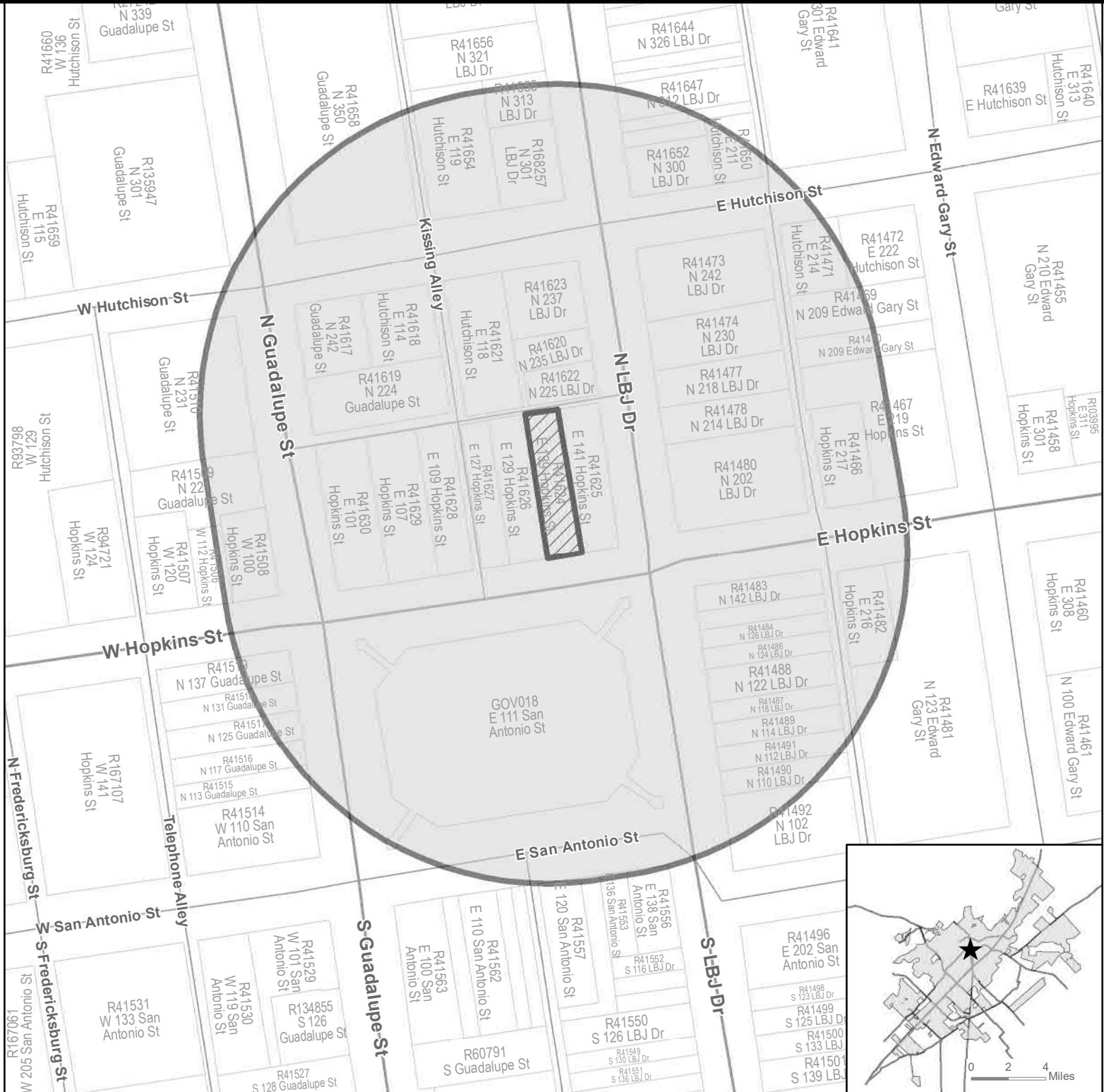
- (1) Consideration of the effect of the activity on historical, architectural or cultural character of the Historic District or Historic Landmark;
- (2) For Historic Districts, compliance with the Historic District regulations;
- (3) Whether the property owner would suffer extreme hardship, not including loss of profit, unless the certificate of appropriateness is issued;
- (4) The construction and repair standards and guidelines cited in Section 4.5.2.1

Section 4.5.2.1 Historic Districts**I. Construction and Repair Standards.**

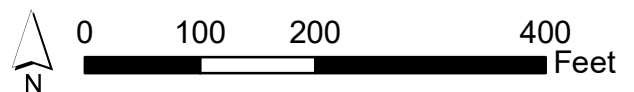
- (1) New construction and existing buildings and structures and appurtenances thereof within local Historic Districts that are moved, reconstructed, materially altered or repaired shall be visually compatible with other buildings to which they are visually related generally in terms of the following factors; provided, however, these guidelines shall apply only to those exterior portions of buildings and sites visible from adjacent public streets:
 - a. **Height.** The height of a proposed building shall be visually compatible with adjacent buildings.
 - b. **Proportion of building's front facade.** The relationship of the width of a building to the height of the front elevation shall be visually compatible to the other buildings to which it is visually related.
 - c. **Proportion of openings within the facility.** The relationship of the width of the windows in a building shall be visually compatible with the other buildings to which it is visually related.
 - d. **Rhythm of solids to voids in front Facades.** The relationship of solids to voids in the front facade of a building shall be visually compatible with the other buildings to which it is visually related.
 - e. **Rhythm of spacing of Buildings on Streets.** The relationship of a building to the open space between it and adjoining buildings shall be visually compatible to the other buildings to which it is visually related.
 - f. **Rhythm of entrance and/or porch projection.** The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible to the other buildings to which it is visually related.
 - g. **Relationship of materials, texture and color.** The relationship of the materials, and texture of the exterior of a building including its windows and doors, shall be visually compatible with the predominant materials used in the other buildings to which it is visually related.
 - h. **Roof shapes.** The roof shape of a building shall be visually compatible with the other buildings to which it is visually related.
 - i. **Walls of continuity.** Appurtenances of a building including walls, fences, and building facades shall, if necessary, form cohesive walls of enclosure along a street, to ensure visual compatibility of the building to the other buildings to which it is visually related.
 - j. **Scale of a building.** The size of a building, the mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the other buildings to which it is visually related.
- (2) The Historic Preservation Commission may use as general guidelines, in addition to the specific guidelines contained this section, the Historic Design Guidelines located in Appendix C of the San Marcos Design Manual and the current Standards for Historic Preservation Projects issued by the United States Secretary of the Interior.

Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



- ★ Site Location
- ▨ Subject Property
- 400' Buffer
- Parcel
- City Limit



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Map Date: 5/11/2021



Staff Report
Historic Preservation Commission
HPC-21-07

Prepared by: Alison Brake, CNU-A, Historic Preservation Officer
Date of Meeting: June 3, 2021

Applicant Information:

Applicant: Sean Neal
139 East Hopkins Street
San Marcos, TX 78666

Property Owner: Same

Public Hearing Notice:

Mailed: May 21, 2021

Response: None as of report date.

Subject Properties:

Location: 139 East Hopkins Street
Historic District: Downtown
Description: Two-part commercial block building
Date Constructed: c. 1873
Priority Level: Medium (*My Historic SMTX*)
Listed on NRHP: Yes, within Hays County Courthouse NRHP District
RTHL: No

Applicant Request:

To allow the existing metal rooftop canopy to be further extended.

Staff Recommendation:

- ☒ *Approval* - appears to meet criteria for approval
- ☐ *Approval with conditions* – see comments below
- ☐ *Denial* - does not appear to meet criteria for approval
- ☐ Commission needs to address policy issues regarding this case.

Staff Comments:

The subject property is located along East Hopkins Street across from the courthouse and is the site of Harper's Hall ("EXHIBIT A"). The Veranda is a bar that is located on the rooftop of the building. The building was evaluated in *My Historic SMTX* with a medium preservation priority level ("EXHIBIT B"). Medium priority properties are those that could be contributing to an eligible National Register of Historic Places (NRHP) or local historic district. These resources may also have significant associations but are generally more common examples of types or styles or have experienced some alterations. A photograph of the building from *My Historic SMTX* are shown on the next page.



In April 2012 the applicant received a Certificate of Appropriateness (COA) to install the existing metal canopy. Existing conditions of the site can be seen in photographs submitted by the applicant, shown below:







The applicant is proposing to extend the canopy so that it will cover a portion of the service area of the rooftop bar. In November 2018, the applicant received an approved COA from the Commission for this same request but the approval expired in November 2020; the applicant failed to apply for a permit to start the project within the one year approval timeframe and the project was not completed within the two year approval timeframe.

The applicant is proposing to match the materials of the existing canopy in construction of the expansion; it is constructed of metal. With the extension, the canopy will not cover the entire rooftop bar but will extend from one side to the other as shown in the renderings supplied by the applicant, shown below:



Additionally, renderings of the existing canopy and the proposed canopy from different angles are also shown on the next few pages.



Existing



Proposed



Existing



Proposed



Existing



Proposed



Existing



Proposed

The Historic District Design Guidelines do not specifically address rooftop canopies. They do address materials used in construction in Section C.2.3.4(E) stating that miscellaneous steel components can be found in commercial buildings. Staff finds the request to use metal in the construction of the extended canopy consistent with the Historic Design Guidelines. Staff finds the use of compatible materials and construction of a compatible roofline consistent with Section 4.5.2.1(l)(1)(g) and Section 4.5.2.1(l)(1)(h) of the San Marcos Development Code. The renderings show that the extended canopy will be most visible from Hopkins Street however, the roofline symmetry should not be impaired as the existing canopy is set away from the front of the building making it consistent with the Secretary of the Interior's Standards for Rehabilitation Standard Number 9. The SOI's Standard Number 10 states: *"New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired."* Staff finds the request consistent with this standard as the canopy could be removed without damaging the integrity of the building.

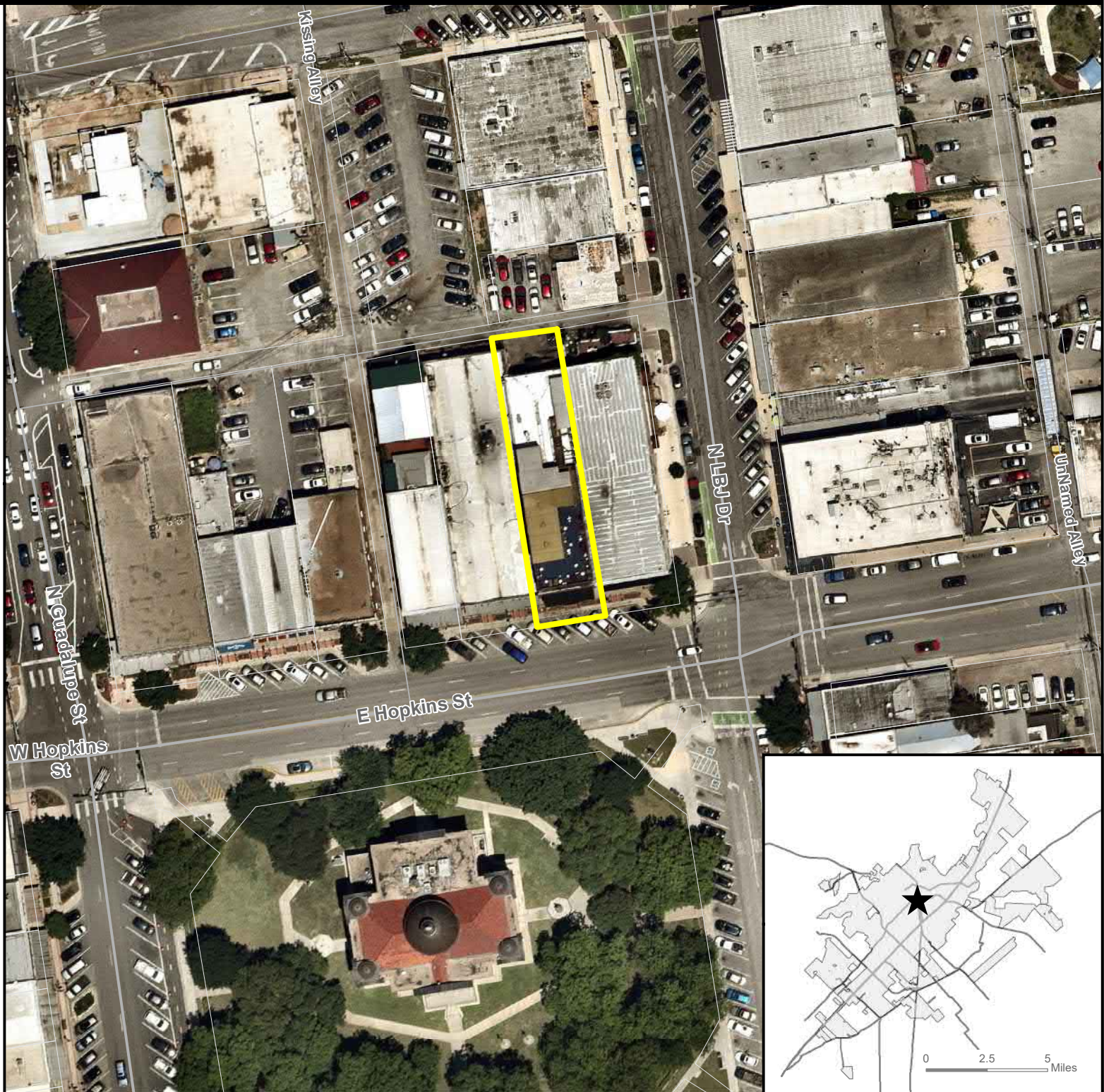
Staff finds that the request extend the metal canopy meets the regulations of the San Marcos Development Code [Section 4.5.2.1(l)(1)(g) and Section 4.5.2.1(l)(1)(h)] and is consistent with the Historic District Design Guidelines [Section C.2.3.4(E)] and the Secretary of the Interior Standards [Standard Numbers 9 and 10]. Therefore, staff concludes that the request will have no negative effect on the historical, architectural, or cultural character of the historic district, and recommends **approval as submitted**.

EXHIBITS

- A. Aerial Map
- B. Historic Resources Survey Inventory Sheet from *My Historic SMTX*
- C. Application
- D. San Marcos Development Code Sections 2.5.5.4 and 4.5.2.1(l)
- E. Secretary of the Interior Standards for Rehabilitation

HPC-21-07 Aerial View 139 E Hopkins St

EXHIBIT A



Site Location



Subject Property



Parcel








City Limit



0 50 100 200 Feet

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property boundaries. Imagery from 2017.

Map Date: 5/12/2021

Local Id# / Image	Address	Current Name/ Historic Name	Current Function/ Historic Function	Stylistic Influence/ Historical Context	Construction Date	Existing Designation	Eligibility	Priority
R41626 	129 E HOPKINS ST SAN MARCOS	The Taproom/The Porch on Hopkins	Commerce/Trade	Commercial Style	1890	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input checked="" type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing	Individually: No In District?: No	Medium
Hays County Courthouse NRHP District & Downtown Local Historic District								
R41624 	139 E HOPKINS ST SAN MARCOS	Harper's on the Square	Commerce/Trade	Commercial Style	1873	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input checked="" type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing	Individually: No In District?: No	Medium
Hays County Courthouse NRHP District & Downtown Local Historic District								
R41625 	141-145 E HOPKINS ST SAN MARCOS	Freddy C's Lounge Patio	Commerce/Trade	Commercial Style, Italianate	1885	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input checked="" type="checkbox"/> Local <input checked="" type="checkbox"/> In District <input checked="" type="checkbox"/> Contributing	Individually: No In District?: No	Medium
Donaldson Building Commerce/Trade Hays County Courthouse NRHP District & Downtown Local Historic District								
R41482 	216 E HOPKINS ST SAN MARCOS	Papa John's Pizza	Commerce/Trade	No Style	ca. 1950	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input type="checkbox"/> Local <input type="checkbox"/> In District <input type="checkbox"/> Contributing	Individually: No In District?: No	Low
R41466 	217 E HOPKINS ST SAN MARCOS	Chimy's Restaurant	Commerce/Trade	No Style	ca. 1965	<input type="checkbox"/> NR <input type="checkbox"/> RTHL <input type="checkbox"/> OTHM <input type="checkbox"/> HTC <input type="checkbox"/> SAL <input type="checkbox"/> Local <input type="checkbox"/> In District <input type="checkbox"/> Contributing	Individually: No In District?: No	Low

CERTIFICATE OF APPROPRIATENESS APPLICATION FORM

Updated: September, 2020



CONTACT INFORMATION

Applicant's Name	SEAN NEAL	Property Owner	SEAN NEAL
Company	SKNEAL LLC/Venanda	Company	SLUAN JAMES LLC
Applicant's Mailing Address	139 E. Hopkins St	Owner's Mailing Address	139 E. Hopkins St San Marcos, TX 78666
Applicant's Phone #	(512) 753-9414	Owner's Phone #	(512) 753-9414
Applicant's Email	SEAN@SKNEAL.COM	Owner's Email	SEAN@SKNEAL.COM

PROPERTY INFORMATION

Address of Proposed Work: 139 E. Hopkins St San Marcos, TX 78666
 Historic District: Downtown Historic District Tax ID #: R 41624
 Legal Description: Lot part 5 Block 20 Subdivision original lot 5 of SM
 Historical Designation(s) of Property, if applicable:

☒ National Register of Historical Places ☐ Recorded Texas Historic Landmark

DESCRIPTION OF PROPOSED WORK

Please use this space to summarize the proposed work (Please be specific. Use additional pages if necessary.)

Extending rooftop Awning from Existing Awning. Allowing for more seasonal seating.

AUTHORIZATION

I certify that the information on this application is complete and accurate. I understand the fees and the process for this application. I understand my responsibility, as the applicant, to be present at meetings regarding this request.

Filing Fee \$0

Technology Fee \$13

TOTAL COST \$13

Submittal of this digital Application shall constitute as acknowledgement and authorization to process this request.

APPLY ONLINE – WWW.MYGOVERNMENTONLINE.ORG/

Section 2.5.5.4 Criteria for Approval

The following criteria shall be used to determine whether the application for a certificate of appropriateness shall be approved, conditionally approved or denied:

- (1) Consideration of the effect of the activity on historical, architectural or cultural character of the Historic District or Historic Landmark;
- (2) For Historic Districts, compliance with the Historic District regulations;
- (3) Whether the property owner would suffer extreme hardship, not including loss of profit, unless the certificate of appropriateness is issued;
- (4) The construction and repair standards and guidelines cited in Section 4.5.2.1

Section 4.5.2.1 Historic Districts**I. Construction and Repair Standards.**

- (1) New construction and existing buildings and structures and appurtenances thereof within local Historic Districts that are moved, reconstructed, materially altered or repaired shall be visually compatible with other buildings to which they are visually related generally in terms of the following factors; provided, however, these guidelines shall apply only to those exterior portions of buildings and sites visible from adjacent public streets:
 - a. **Height.** The height of a proposed building shall be visually compatible with adjacent buildings.
 - b. **Proportion of building's front facade.** The relationship of the width of a building to the height of the front elevation shall be visually compatible to the other buildings to which it is visually related.
 - c. **Proportion of openings within the facility.** The relationship of the width of the windows in a building shall be visually compatible with the other buildings to which it is visually related.
 - d. **Rhythm of solids to voids in front Facades.** The relationship of solids to voids in the front facade of a building shall be visually compatible with the other buildings to which it is visually related.
 - e. **Rhythm of spacing of Buildings on Streets.** The relationship of a building to the open space between it and adjoining buildings shall be visually compatible to the other buildings to which it is visually related.
 - f. **Rhythm of entrance and/or porch projection.** The relationship of entrances and porch projections to sidewalks of a building shall be visually compatible to the other buildings to which it is visually related.
 - g. **Relationship of materials, texture and color.** The relationship of the materials, and texture of the exterior of a building including its windows and doors, shall be visually compatible with the predominant materials used in the other buildings to which it is visually related.
 - h. **Roof shapes.** The roof shape of a building shall be visually compatible with the other buildings to which it is visually related.
 - i. **Walls of continuity.** Appurtenances of a building including walls, fences, and building facades shall, if necessary, form cohesive walls of enclosure along a street, to ensure visual compatibility of the building to the other buildings to which it is visually related.
 - j. **Scale of a building.** The size of a building, the mass of a building in relation to open spaces, the windows, door openings, porches and balconies shall be visually compatible with the other buildings to which it is visually related.
- (2) The Historic Preservation Commission may use as general guidelines, in addition to the specific guidelines contained this section, the Historic Design Guidelines located in Appendix C of the San Marcos Design Manual and the current Standards for Historic Preservation Projects issued by the United States Secretary of the Interior.

Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



PLANNING AND DEVELOPMENT SERVICES

TO: Historic Preservation Commission
FROM: Alison Brake, CNU-A, Historic Preservation Officer
DATE: May 18, 2021
RE: AGENDA ITEM 7: COMMUNITY DEVELOPMENT BLOCK GRANTS & HISTORIC PRESERVATION

Commissioner Perkins requested this item be placed on the agenda to discuss Community Development Block Grants (CDBG), how they relate to historic preservation, how they might impact historic preservation initiatives in our community, and how other CLG communities utilize these funds

The Community Development Block Grant program (CDBG), a federal program under the Housing and Community Development Act of 1974 (HCDA), provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. The attached guide explains how historic preservation and heritage tourism projects can be accomplished through eligible activities under CDBG. Lorelei Willet, Certified Local Government (CLG) Program Coordinator with the Texas Historical Commission, reminded staff that CDBG grants are the only other source of federal funding that can be used as match for CLG funds.

Staff reached out to other state Certified Local Government (CLG) communities to find out how they utilize these funds. At the time of the report, staff had one response from the City of Elgin's Director of Community Service who stated that they compete statewide for CDBG funding. She stated that they have successfully received and implemented multiple Main Street grants through the Texas Capital Fund and the funds were utilized for sidewalks in the historic districts. Staff was awaiting clarification on whether that was for repairing or installing sidewalks in the historic districts.

Staff has requested that Carol Griffith, the City's Housing and Community Development Manager be present to help in the discussion.



COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM **PRESERVING AMERICA**

A photograph of a historic street scene serves as the background for the lower half of the page. The street is lined with trees and historic buildings. A street sign on the right indicates "N. SIXTH ST." and "MAIN ST.". A black lamppost stands in the foreground, and a black trash can is visible on the sidewalk. The sun is low in the sky, creating a warm, golden light.

**Historic Preservation and Heritage Tourism in
Housing and Community Development: A Guide to
Using Community Development Block Grant Funds
for Historic Preservation and Heritage Tourism in
your Communities**



A Guide to using Community Development Block Grant Funds for Historic Preservation and Heritage Tourism in your Communities

Communities across America are searching for ways to improve their local economies, enhance their quality of life and revitalize their neighborhoods while preserving their cultural and natural heritage. Historic preservation and heritage tourism are two prominent economic and community development strategies to accomplish these objectives. This guide details how communities can utilize Community Development Block Grant funds (CDBG) to promote historic preservation and heritage tourism in their localities.

In addition to providing this guidance, HUD would like our partners in community development to be aware of a new White House initiative that encourages communities to invest in historic preservation and heritage tourism. The Advisory Council on Historic Preservation has developed the Preserve America initiative to honor and award communities that are involved in successful historic preservation and heritage tourism projects. Under the Preserve America initiative, unveiled by First Lady Laura Bush in September of 2003, communities may seek Preserve America Community designation for their towns and cities and nominate outstanding preservation efforts for the new Preserve America Presidential Award.

Background: Heritage tourism is an economic development tool designed to attract visitors to an area based on the unique aspects of the locality's history, landscape and culture. This not only boosts regional and local pride but is also a good source of revenue for a community and creates jobs. Historic preservation is a tool for preserving a historic place, incubating small businesses, revitalizing downtowns, generating local jobs, and creating improvements in a community.

Purpose: This guide will help state and local officials understand how historic preservation and heritage tourism projects can be accomplished through various eligible activities under the Community Development Block Grant program (CDBG). The CDBG program under the Housing and Community Development Act of 1974 (HCDA) provides resources and flexibility to local officials for determining development in their communities. You will find a description of eligible activities that can be used and important contact information. Also included are some real-life examples of successful historic preservation and heritage tourism projects.

Meeting a National Objective

All CDBG assisted historic preservation and heritage tourism activities must meet a national objective. The activity must benefit low and moderate-income persons; prevent or eliminate slums or blight; or be designed to meet a community development need having an urgent need. Some examples include: The preservation of a commercial building that results in the creation of jobs where at least 51 percent are held by low and moderate-income persons; the preservation of a building used for a community center that serves residents in an area that is 51 percent low and moderate income; an entitlement community that has used historic

preservation activities in a designated slum and blighted area or in a non-designated slum and blighted area that shows signs of decay (on a spot basis). The national objectives are outlined in 24 CFR 570.208 for the Entitlement program and in 24 CFR 570.483 in the State program. Both programs require that at least 70 percent of CDBG funds and Section 108 loan funds must be used to benefit low and moderate-income persons. Each state may have additional requirements that Units of General Local Government must adhere to.



Eligible CDBG Activities which may support Historic Preservation and Heritage Tourism

Historic preservation is a specific eligible activity under 24 CFR Part 570.202(d) where it states that preserving specific historic properties may be undertaken. However, there are a number of other eligible activities that can be used toward historic preservation and heritage tourism projects.

Usually these activities include rehabilitation, preservation and selective restoration of publicly or privately owned properties. However, new construction of non-residential buildings, economic development assistance to for-profit businesses, and energy conservation are also among eligible activities.

The following are eligible CDBG activities that may be used for historic preservation and heritage tourism projects and objectives, if all applicable program requirements are met. The Entitlement regulation and Housing and Community Development Act (HCDA) statutory citations are included for your convenience.

Planning 24 CFR 570.205 and HCDA Section 105(a)(12)

Community planning is an opportunity to develop goals and objectives and include strategies for preservation with plans to meet other purposes as well. This applies to soft costs such as engineering, design costs, preservation counseling, advisory services and inspections. Activities could also include the preparation of general development plans, and plans for particular functions, purposes or areas. Many communities have included historic preservation as a part of their general development plan. Likewise, heritage tourism may also be included as a goal or objective in the plan.

General Plans include:

- ❖ Comprehensive plans and community development plans including preservation elements;

- ❖ Functional plans for various purposes, including housing, land use, economic development, open space, and energy conservation, including historic preservation elements;
- ❖ Data collection, studies, analysis and the preparation of plans and implementing measures including budgets, codes and ordinances;
- ❖ Archeological surveys of CDBG project areas, including a reconnaissance survey of a project site containing valuable resources, or an intensive survey for fuller examination of significant sites;
- ❖ Activities to enhance the community's capacity for setting goals and objectives to meet needs, including environmental and preservation concerns;
- ❖ Reasonable costs of general environmental studies and historic preservation studies and resource surveys, including environmental review and compliance with Section 106 of the National Historic Preservation Act, where required by 24 CFR Part 58;





Eligible CDBG Activities which may support Historic Preservation and Heritage Tourism

Historic Preservation Plans include:

- ❖ Preparation of a historic preservation plan for the community, including plans for preserving historic downtown areas or neighborhoods or for appropriate reuse of their historic structures;
- ❖ Delineating historic districts, including reuse plans and the preparation of ordinances and codes to assure preservation of the districts; and
- ❖ Developing strategies and action programs to protect and enhance the cultural environment.

Note: All of these activities may further heritage tourism goals. These activities may include measured drawings, photographs and other documentation of significant architectural and historic data and of any building modifications or project mitigation. These may be prepared as part of a preservation program or in compliance with environmental review requirements.

Historic Preservation 24 CFR 570.202(d)) and HCDA Section 105(a)(1)(C)

Publicly or privately owned historic property can be rehabilitated, preserved or restored, however not for the use of the general conduct of government. Historic properties are sites or structures that are either listed in or eligible to be listed in the National Register of Historic Places (<http://www.cr.nps.gov/nr/>). They can also be listed in a state or local inventory of historic places, or designated as a state or local landmark or historic district.

Economic Development Activities 24 CFR 570.203 and HCDA Sections 105(a)(1), (4), (14), (15), (17), (22)

Economic development is a major objective in CDBG programs. Communities may find effective ways to tie in preservation objectives with

economic development. Rehabilitating an older structure creates job opportunities in the preservation stages of work and revitalizes an area and community. Heritage tourism may provide job opportunities and is a tool for strengthening regional identity and local pride. Eligible activities include:

- ❖ Acquisition, construction, reconstruction or installation of commercial or industrial buildings, structures, and other real property, equipment and improvements having historic value; and
- ❖ Assistance to private-for-profit-businesses, including financial and technical assistance and involving historic properties.

Administrative Costs 24 CFR 570.206 and HCDA Section 105(a)(13)

- ❖ Costs of conducting preliminary surveys and analysis of market needs;
- ❖ Costs of site and utility plans, narrative descriptions of proposed development or rehabilitation, preliminary cost estimates, urban design documentation, and "sketch drawings", including preservation objectives and making proposals compatible with historic settings.

Engineering and Design Costs 24 CFR 570.201, 570.202 and HCDA Sections 105(a)(2), (5)

- ❖ Feasibility studies to assess the condition of structures, including historic structures, and the economic feasibility of corrective techniques to overcome incompatible alterations or deterioration which detract from the historic character of structures; adapting historic buildings to appropriate reuse;
- ❖ Designing improvements to the façade of structures, including historic buildings and schematic drawings;



Eligible CDBG Activities which may support Historic Preservation and Heritage Tourism

- ❖ Design costs for integrating historic facades into new structures and land uses, with the advice of the state historic preservation office or local historic commission or advisory body;
- ❖ Designing the removal of architectural barriers in structures which limit access for elderly or handicapped persons; and
- ❖ Other engineering and design needed to preserve historic properties and develop heritage tourism.

Note: Engineering and design activities and costs are considered project costs, not general planning or administrative costs.

Acquisition 24 CFR 570.201 and HCDA Section 105(a)(2)

- ❖ Acquisition of properties, including historic properties, in whole or in part by a public agency or private not-for-profit entity;
- ❖ Acquisition by purchase, lease, donation, or otherwise, of real property (including air rights, water rights, rights-of-way, easements, façade easements and other interests);
- ❖ Acquisition of buildings and improvements and their relocation to other sites.

Clearance Activities 24 CFR 570.201(d) and HCDA Sections 105(a)(4), (25)

- ❖ Moving a historic structure from a project site or other site to a location appropriate for its preservation; and
- ❖ Clearing incompatible structures from a historic site to highlight historic values or to provide for compatible new development.

Site Preparation 24 CFR 570.201 and HCDA Sections 105(a)(2), (4)

- ❖ Construction, reconstruction or installation of public improvements, utilities, or facilities

(other than buildings) related to the redevelopment or reuse of real property that was acquired by CDBG funds;

- ❖ Making improvements necessary to restore a property's architectural or historic character.

Property Rehabilitation 24 CFR 570.202 and HCDA Sections 105(a)(4), (25)

Rehabilitation constitutes a major area of opportunity for including historic preservation in programs designed to revitalize neighborhood and commercial areas and for encouraging private sector involvement in community development and property rehabilitation activities. Eligible activities include the rehabilitation of:

- ❖ Eligible privately owned residential buildings and improvements limited to façade, such as commercial buildings in a downtown and code requirements of non-residential buildings;
- ❖ Public housing and other publicly owned residential buildings and improvements;
- ❖ Publicly owned nonresidential buildings and improvements otherwise eligible for assistance;
- ❖ Activities to secure the retention and reuse of historic structures, such as renovation of closed school buildings for conversion to housing or a public facility, or to serve another public purpose;
- ❖ Energy system improvements or retrofitting, e.g., to enhance the use and preservation of historic structures; and
- ❖ Obtaining or conducting rehabilitation advisory services, such as rehabilitation counseling, energy auditing, preparation of work specifications, inspections, and other advisory services to owners, tenants, contractors and other entities participating or seeking to participate in authorized rehabilitation activities.



Eligible CDBG Activities which may support Historic Preservation and Heritage Tourism

Property Disposition 24 CFR 570.201(b) and HCDA Section 105(a)(7)

- ❖ Sale, lease, donation, or otherwise, of any real property acquired with CDBG funds, including arrangements and restrictions to preserve historic properties or to provide for appropriate reuse of historic property.

Code Enforcement 24 CFR 570.202(c) and HCDA Section 105(a)(3)

- ❖ In deteriorated areas, code enforcement can stop the decline of an area that is in the process of being rehabilitated.

Public Facilities and Improvements 24 CFR 570.201(c) and HCDA Section 105(a)(2)

- ❖ Acquisition, construction, reconstruction, rehabilitation or installation of eligible public facilities and improvements, as in historic districts or neighborhoods;
- ❖ Design features and improvements which promote energy efficiency; and
- ❖ Execution of architectural design features to enhance or preserve the aesthetic quality of facilities and improvements receiving CDBG assistance, such as decorative pavements, railings, sculptures, pools of water and fountains, and other works of art (excluding furniture and furnishings within buildings).

Removal of Architectural Barriers 24 CFR 570.201(k) and HCDA Section 105(a)(5)

- ❖ Removing material and architectural barriers that restrict the mobility and accessibility of elderly or handicapped persons to publicly owned or privately owned buildings, facilities, and improvements.

Privately owned Utilities 24 CFR 570.201(l)

and HCDA Section 105(a)(2)

- ❖ Use of CDBG funds to acquire, construct, reconstruct, rehabilitate, or install the distribution lines and facilities of privately owned utilities, including the placing underground of new and existing distribution facilities and lines, as in a historic district.

Activities by Community-Based Development Organizations 24 CFR 570.204(c) and HCDA Section 105(a)(15)

- ❖ Recipients may grant or loan CDBG funds to subrecipients for any eligible activities including eligible historic preservation and heritage tourism activities. This could include neighborhood-based nonprofit organizations, small business investment companies or local development corporations used to carry out neighborhood revitalization projects, community economic development or energy conservation projects. *Additionally, under the State CDBG program, the subrecipient may also be any non-profit organization and would be eligible under Section 105(a)(15).*

Technical Assistance 24 CFR 570.201(p) and HCDA Section 105(a)(19)

- ❖ Obtaining or providing technical assistance to public or non-profit entities for planning, developing and administering historic preservation activities;
- ❖ Conducting local education and information programs concerning historic preservation, including encouragement of private initiatives through private investment and the use of available tax incentives and other resources;
- ❖ Conducting workshops on preservation, such as façade treatment of historic storefronts or seminars on historic district design for local merchants, architects, planners and community organizations; and



Eligible CDBG Activities which may support Historic Preservation and Heritage Tourism

- ❖ Training conferences for municipal and community leaders that encourage preservation strategies and techniques for implementing them.

Consultant Services 24 CFR 570.200(d)

- ❖ Obtaining professional assistance for program planning, and preparing community development objectives, including historic preservation, and securing other general professional guidance for devising programs and methods or schedules for implementing them, including preservation elements. Please note, unless consultant costs are under planning, they are considered project costs.

Payment of the non-Federal share required in connection with a Federal grant-in-aid program 24 CFR 570.201(g) and HCDA Section 105(a)(9)

- ❖ CDBG funds may be used for the payment of the non-Federal share required for Federal grant-in-aid programs, provided the activities are part of eligible CDBG activities. For example, CDBG funds may be used to make up the local matching requirement of the Department of the Interior's historic preservation grant program.

Incentives for using Historic Preservation and Heritage Tourism

Tax Incentives: Approximately 45 states and many local governments offer property tax incentive programs for the rehabilitation of historic properties. These programs foster reinvestment, job creation, and income generation. Currently thirty-four state programs offer real property tax relief. The most common of these programs exempts property owners from being taxed for a specific period of time based on the building's increased value due to the rehabilitation work done on the historic property. Additionally, other states administer state income tax-based incentives for historic rehabilitation.

Economic and Community Benefits:

Investment in historic preservation and heritage tourism has produced numerous economic and community benefits for localities. Communities have used historic preservation and heritage tourism as an economic development strategy

towards job creation, creating new business, for private investment and have seen their property values increase. Rehabilitating historic properties also creates jobs in the construction, manufacturing, transportation, utilities, retail and services industries. These areas often see a corresponding increase in household income and spending, which further strengthens the local economy.

These benefits directly impact local economies while aiding the physical transformation of downtowns, reducing urban and rural sprawl, and creating destinations for tourists and local residents alike. Additionally, the rehabilitation of historic properties has also helped increase supply of affordable housing, which is in great demand in many communities.

Success Stories of Communities with Heritage Tourism and Historic Preservation projects:

1. Pharr, Texas, a CDBG entitlement city, utilized CDBG money to fund several main street projects to encourage renewal in their town. The goal of Main Street Pharr was to revitalize Park Avenue, Pharr's main street, through the promotion of heritage tourism to stimulate the local economy. The planning stages took about 3 years and included innovative initiatives such as setting up a preservation ordinance and a local historical commission, performing a windshield survey of the town's historical district, and completing a \$7,500 "festival infrastructure" project along Park Avenue. These efforts were designed to aid the transformation of Main Street Pharr into a festival destination. The infrastructure, partly funded by a \$2,500 grant from the Anice Read Fund, included an electrical and lighting system, banners, meter boxes, banner brackets, and flood light poles.

The city also completed an oral history project that documented its rich heritage and was instrumental in securing a landmark designation from the Texas Historical Commission for display at City Hall. CDBG funds were also used for operating expenses to support the city's Main Street Program and for a promotions budget to install banners for display within the historical district.

On-going projects also include conducting the city's first preservation master plan. This policy document and vision statement from the community was the first of its kind among the 46 cities and towns in the Lower Rio Grande Valley. In addition, CDBG funding is being used to conduct a restoration plan for the city's first fire station. The latter has included asbestos testing and removal, performing a structural study and a floor plan sketch. The restoration plan will also include an architectural rendering and plan of action to restore the structure's exterior, interior and original landscaping features. In addition to



This building is the sight that will become the Rio Grande Valley Food Bank in Pharr, Texas.

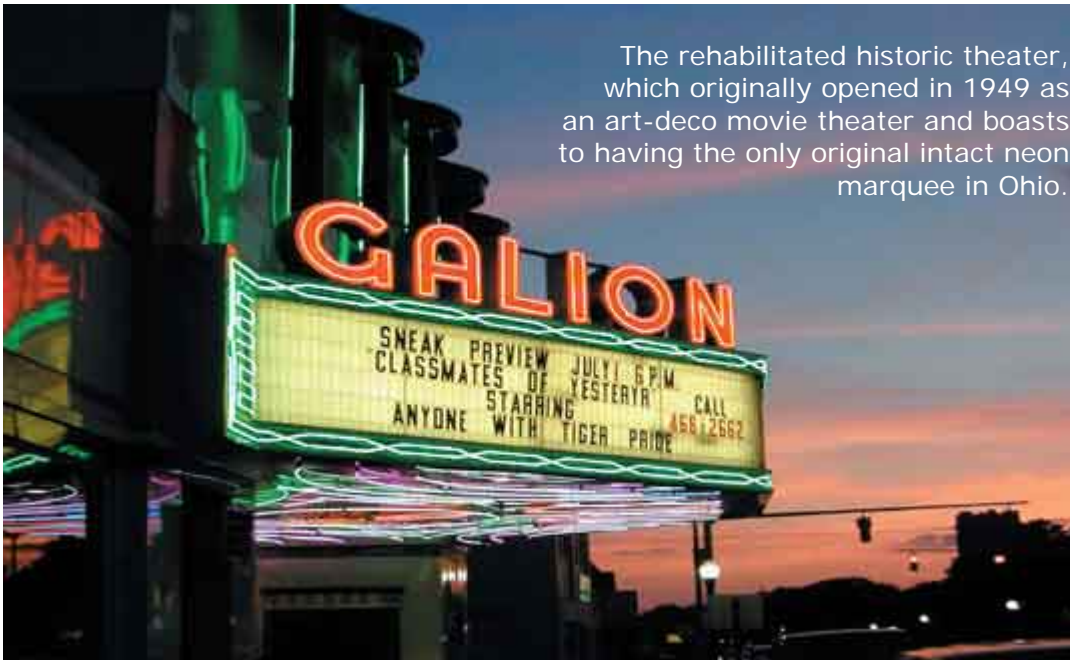


This rendering illustrates the proposed Rio Grande Valley Food Bank in Pharr, Texas.

these efforts, the city set up a \$50,000 matching fund for a façade improvement program to encourage the private sector investment for the restoration and preservation of the city's historic district. As a result, seven local banks matched the city's commitment and set up a \$637,000 low interest loan pool to encourage further private investment in façade restoration. The ripple effects of these CDBG activities include other projects led by citizen volunteers, such as an inventory of the local historic

cemetery resulting in the city's first historic Texas cemetery designation. It is estimated that over \$25,000 worth of volunteer hours were contributed in 2002 and 2003.

In 2002 and 2003, Pharr Main Street produced over \$3.2 million in public and private investments, 21 business starts, and a net gain of 50 jobs. The historic district also experienced the return of key civic assets such as City Hall and the public library. Pharr continues to invest in its built environment, image and future by revitalizing its core, thus attracting heritage tourists and generating revenue for the city. Recently, Pharr joined the Los Camino Del Rio Heritage Trail becoming a stop and destination along this heritage corridor, which highlights the common heritage along the Texas-Mexico borderlands. As a result of Pharr's innovative efforts in preservation and revitalization the city was honored with the 2004 Texas Main Street City designation. The State of Texas First Lady, Mrs. Anita Perry, kicked off this designation at a special ceremony in Pharr on March 30, 2004. In May 2004, the City of Pharr was designated a National Preserve America Community through the White House's Preserve America initiative. The city is the first Border community in the nation to receive this honor for their work in preservation and revitalization. Contact: Pharr Main Street Office at (956) 702-5335, ext 137.



The rehabilitated historic theater, which originally opened in 1949 as an art-deco movie theater and boasts to having the only original intact neon marquee in Ohio.



This historic hotel on main street will be converted into a senior citizen residence, which will further increase the population in the historic area.

2. Main Street Galion, in Galion, Ohio has used State CDBG money to leverage 10 million dollars of funding from public and private sources to revitalize their “historic uptown” area, which had fallen into decline due to plant closures. Projects included façade work, rehabilitation and infrastructure improvements. Additionally, the main square was restored and an historic walking tour was developed to promote Galion as a tourist destination. Businesses have returned to the district helping to generate more revenue for the city and providing needed services to residents and tourists. Main Street Galion redevelopment initiatives include the rehabilitated historic theater, which originally opened in 1949 as an art-deco movie theater and boasts to having the only original intact neon marquee in Ohio. Also, a historic hotel on main street will be converted into a senior citizen residence, which will further increase the population in the historic area. Contact: Main Street Galion at (419) 468-4812 ext 204, www.galionohio.com.

3. The Kissimmee Community

Redevelopment Agency, in Kissimmee, Florida, received two State CDBG grants for historic preservation projects to upgrade the downtown area over a span of six years. The first project used \$750,000 of CDBG funding towards developing a five-block streetscape downtown. Three years later a second CDBG grant in the amount of \$750,000 was used towards completing the streetscape project. The project involved improvements to the parking lot, lighting, signage and making the area more pedestrian friendly by adding sidewalks from the historic courthouse to the downtown. Another goal was bringing the oldest buildings, which were built between 1906 and 1926, up to code and making them accessible to the disabled. Business owners were offered \$30,000 toward this goal if each contributed 10 percent of the cost. The owners had to either occupy the building or have a retail tenant on the first floor. The final results include eleven completed storefront renovations and façade improvements, construction of bathrooms, and improved site accessibility. These improvements have created a surge of interest from businesses and residents wanting to live in the downtown area. Contact: Kissimmee Community Redevelopment Agency at (407) 518-2544, www.kissimmecra.com.



Toho Square along with these other improvement projects have created a surge of interest from businesses and residents wanting to live in downtown Kissimmee.



This project involved improvements to the parking lot, lighting, signage and making the area more pedestrian friendly by adding sidewalks from the historic courthouse to the downtown.



Another goal was bringing the oldest buildings, which were built between 1906 and 1926, up to code and making them accessible to the disabled.

Eligible CDBG Activities that can be used for Historic Preservation and Heritage Tourism projects

Eligible Activity:	State Program: HCDA 105(a)	Entitlement Regulations: 24 CFR 570.201-.206
Acquisition of Real Property	105(a)(2)	570.201(a)
Public Facilities and Improvements	105(a)(2)	570.201(c)
Code Enforcement	105(a)(3)	570.202(c)
Clearance	105(a)(4), (25)	570.201(d)
Rehab	105(a)(4), (25)	570.202(a)(b)(d)(e)(f)
Reconstruction	105(a)(4), (25)	570.202
Construction of Buildings (Housing incl.)	105(a)(4), (25)	570.201(m)
Architectural Barrier Removal	105(a)(5)	570.208(a)(2)(ii)
Property Disposition	105(a)(7)	570.201(b)
Payment of Non-Federal Share	105(a)(9)	570.201(g)
Planning and Capacity Building	105(a)(12)	570.200(g), 570.205
Program Administration Costs	105(a)(13)	570.206
Activities carried out by Community-Based Development Organizations	105(a)(15)	570.204(c)
Economic Development Assistance to For-Profit Business	105(a)(17)	570.203(b)
Technical Assistance	105(a)(19)	570.201(p)
Historic Preservation	105(a)(1)(C)	570.202(d)
Economic Development Activities	105(a)(1), (4), (14), (15), (17), (25)	570.203
Engineering and Design Costs	105(a)(2), (5)	570.201, 570.202
Site Preparation	105(a)(2), (4)	570.201
Privately Owned Utilities	105(a)(2)	570.201(l)
Consultant Services	None	570.200(d)
Payment of the non-Federal share for a Federal grant-in-aid program	105(a)(9)	570.201(g)

Resources and Links:

1. National Trust for Historic Preservation
<http://www.nationaltrust.org/index.html>
2. Main Street National Trust for Historic Preservation
<http://www.mainstreet.org/>
3. National Register of Historic Places
<http://www.cr.nps.gov/nr/>
4. Preserve America
<http://www.preserveamerica.gov>
5. State and Entitlement CDBG contacts:
<http://www.hud.gov/offices/cpd/communitydevelopment/programs/contacts/index.cfm>
6. Preservation Directory
<http://www.preservationdirectory.com/>
7. Heritage Preservation
<http://www.heritagepreservation.org/>

If you have questions about this publication, please call your local HUD field office.



PLANNING AND DEVELOPMENT SERVICES

TO: Historic Preservation Commission
FROM: Alison Brake, CNU-A, Historic Preservation Officer
DATE: May 18, 2021
RE: **AGENDA ITEM 8: DEMOLITION REVIEW FOR HISTORIC AGE RESOURCES**

Commissioner Holder requested an item be placed on the agenda to discuss the demolition delay for historic age resources process.

The requirements for demolition review for historic age resources can be found in Chapter 2, Article 7, Division 4 of the San Marcos Development Code and were added to the Code in the recent amendments. The requirements have been included as part of the background to this memo.

All demolition permits are reviewed by the Historic Preservation Officer (HPO). The HPO will place a 90-day hold on a demolition permit if one of the following is true about the property:

1. It is located inside the boundary of the My Historic SMTX historic resources survey and has been evaluated with a high or medium preservation priority, or
2. It is located out of that boundary but is listed on the National Register of Historic Places (NRHP), designated a Recorded Texas Historic Landmark (RTHL), or at least 80 years of age.

Within 20 days of the complete demolition application being submitted to the City, notice of the request for demolition is required to be sent to a list of entities, including, but not limited to, the Commission, the Planning and Zoning Commission, the City Council, and the Hays County Historical Commission.

A public hearing is set for the Commission to consider the demolition delay period and allow for the discussion of alternatives to demolition and methods for the potential preservation of historic character. If the Commission finds the building to be historically significant, the Commission may extend delaying the issuance of the demolition permit. The delay may be extended an additional 90-days but in no event shall the total demolition extension be more for more than 180 days.

Under the regulations in Chapter 2, Article 7, Division 4, two requests for demolition have met the criteria and have been brought before the Commission for public hearings. In each case, the Commission has extended delaying the issuance of the demolition permits the additional 90-days.

- B.** An application for a construction permit shall demonstrate compliance with the provisions of this Development Code and City Code.

Section 2.7.3.3 Approval Process

- A. Responsible Official Action.** The Responsible Official shall approve, approve with conditions, or deny a construction permit based on the standards included in this Development Code and City Code subject to appeal as provided in Section 2.8.1.1.

Section 2.7.3.4 Criteria for Approval

- A.** The Responsible Official shall apply the following criteria in deciding the application for a construction permit:
1. The application generally conforms to all prior approved development applications for the property and any applicable deviation granted from the standards otherwise applicable to the permit;
 2. The structure and the location of the structure on the property is in accordance with all prior approved development applications;
 3. The proposed plan for construction, demolition, alteration or placement conforms to the building code and other applicable construction codes adopted by the City;
 4. Full payment of any applicable impact fees payable under City Code Chapter 86;
 5. Where a change of use in an existing structure is proposed, the use conforms to the use regulations governing the property;
 6. The structure, following inspection by the Building Official, was built in conformity with all applicable standards and requirements of this Development Code, all standards and requirements of each applicable development application and any granted deviation, and the building code, as incorporated in the City Code of Ordinances, as may be modified from time to time.
 7. All outstanding permit requirements have been addressed.

- 8.** When the property lies within a special flood zone, the structure is in compliance with Chapter 39 and FEMA standards as applicable.

Section 2.7.3.5 Expiration and Extension and Revocation

- A. Expiration.** A construction permit expires in accordance with Codes adopted under Chapter 14 of the City Code.
- B. Extension and Reinstatement.** A construction permit may be extended in accordance with the Codes adopted under Chapter 14 of the City Code.
- C. Revocation of Permit.** The Responsible Official may institute proceedings to revoke a construction permit under Section 2.3.7.5.

DIVISION 4: DEMOLITION REVIEW FOR HISTORIC AGE RESOURCES

Section 2.7.4.1 Purpose, Applicability, Exceptions, and Effect

- A. Purpose.** The purpose of this process is to provide criteria to prevent or minimize unnecessary damage to the quality and character of the city's historic resources by requiring the review of any request for demolition of a building meeting the criteria in this Division to enable a determination of its historic significance, and to provide the public, other interested preservation-based organizations, and city staff an opportunity to work with the property owner on alternative solutions to demolition where possible.
- B. 90-Day Review Period for Certain Buildings.** A demolition permit shall not be issued until at least 90 days after the date of filing of a complete application for the demolition of any building or part thereof:
1. located inside the My Historic SMTX historic resources survey (the "Historic Resources Survey") boundaries, as amended or supplemented, evaluated therein as a high or medium preservation priority; or
 2. located outside the Historic Resources Survey boundaries, as amended or supplemented, that is listed on the National Register of Historic Places (NRHP), a Recorded Texas Historic Landmark (RTHL), or at least 80 years of age.

3. No building, nor any part thereof, subject to this Section maybe demolished or removed unless a permit authorizing such demolition or removal has been issued by the city.

C. Exceptions. This Section does not apply to:

1. the demolition of a building, or part thereof, within a local historic district or that is a local historic landmark and for which a certificate of appropriateness for demolition is required; or
2. the demolition of a building, or part thereof, the condition of which is determined by the Chief Building Official or the Fire Marshal to be an imminent threat to public safety; or
3. the demolition of a building, or part thereof, identified in the Historic Resources Survey as not historically significant; or
4. the demolition of a building, or part thereof, located on a property identified in the Historic Resources Survey that is not at least 50 years old or older.

(Ord. No. 2019-41, 11-19-19)

Section 2.7.4.2 Application Requirements

- A. An application to demolish a building, or part thereof, subject to this Division shall conform to the requirements for a construction permit and shall be submitted in accordance with the universal application procedures in Section 2.3.1.1, subject to the requirements of this Division.

(Ord. No. 2019-41, 11-19-19)

Section 2.7.4.3 Process

A. Responsible Official Action

1. The responsible official shall complete the review of the application, and determine if the application concerns a building, or part thereof, subject to Section 2.7.4.1(B)
2. If the application is determined by the responsible official to concern a building subject to Section 2.7.4.1(B), the responsible official shall schedule a meeting and public hearing before the Historic Preservation Commission under Subsection (B). The responsible official shall send notice of the request for demolition and of the public hearing within 20 days of the complete application being submitted to the following:
 - a. San Marcos Daily Record (published notice) in accordance with Section 2.3.2.1(A);
 - b. The owners of real property Owners within 400 feet of the lot or tract of land subject to the request (mailed notice) in accordance with Section 2.3.2.1(B);
 - c. Historic Preservation Commission (E- Notice);
 - d. Planning and Zoning Commission (E-Notice);
 - e. Neighborhood Commission (E-Notice);
 - f. President of the Heritage Association (E- Notice);
 - g. Hays County Historical Commission (E- Notice);
 - h. Neighborhood Commission (E- Notice);
 - i. President of the Council of Neighborhood Associations ("CONA") (ENotice);
 - j. Certified Local Government Coordinator with the Texas Historical Commission (E-Notice);
 - k. Executive Director of Preservation Texas (E-Notice); and
 - l. Any interested persons signed up to receive Notice of Application under Section 2.3.2.1 (E-Notice).

B. Historic Preservation Commission Action

1. The Historic Preservation Commission shall hold a public hearing to consider the demolition delay period and allow the discussion of alternatives to demolition and methods for the potential preservation of historic character.
2. The Historic Preservation Commission shall consider the criteria for eligibility in accordance with Section 2.5.4.5 and the potential for preservation of historic character when determining the demolition delay period.
 - a. If the building, or part thereof, is not initially determined to be historically significant, the demolition permit shall be issued following the Commission's determination without further notice, subject to the requirements of other applicable ordinances.
 - b. If the building is determined to be historically significant, and there is potential for the preservation of historic character then the Commission may extend delaying the issuance of the demolition permit to allow all potentially interested parties to take whatever steps deemed appropriate to accomplish the preservation of the building. The delay may be extended for good cause by the Commission for an additional 90 days but in no event shall the total extension be for more than 180 days.

(Ord. No. 2019-41, 11-19-19)

Section 2.7.4.4 Violation and Penalties

- A. It is a violation of this Division to demolish or remove a building subject to this Division, or part of or addition to such building, without having been issued a permit from the city specifically authorizing the demolition or removal. A person who violates this ordinance shall be subject to a fine of \$2,000.00. A culpable mental state is not required to establish a violation of this ordinance.
- B. In addition to the assessment of any criminal penalties, the city may pursue any remedies available at law or in equity, including injunctive relief, to enforce the provisions of this ordinance.

(Ord. No. 2019-41, 11-19-19)

ARTICLE 8: RELIEF PROCEDURES**DIVISION 1: APPEALS****Section 2.8.1.1 Purpose, Applicability and Effect**

- A. **Purpose.** The purpose of an appeal is to contest a final quasi-judicial or administrative decision on a development application based upon alleged misapplication of the criteria for approval of the application.
 1. An appeal shall not be used as a means of amending, varying or otherwise modifying the standards of this Development Code that apply to the development application.
- B. **Applicability.** A final administrative decision on a development application authorized by this Development Code, may be appealed to the board or commission designated in this Development Code, where no board is designated appeals are decided by the Zoning Board of Adjustments.
 1. A final quasi-judicial decision on a development application may be appealed only if expressly provided for in the regulations establishing the procedure by which the decision was made.
 2. No appeal shall be taken from a legislative decision authorized under this Development Code.
- C. **Effect.** The granting of an appeal supersedes the decision from which appeal was taken, and results in approval, conditional approval or denial of the development application for which approval was sought.

Section 2.8.1.2 Application Requirements

- A. **Who May Appeal.** The applicant and any owner of property within the area for personal notice, if applicable, may appeal a final decision on a development application to the appellate body designated by this Development Code, if any.
- B. The appeal shall contain a written statement of the reasons why the final decision is erroneous.
- C. The appeal shall be accompanied by the fee established by the City Council.



PLANNING AND DEVELOPMENT SERVICES

TO: Historic Preservation Commission
FROM: Alison Brake, CNU-A, Historic Preservation Officer
DATE: May 18, 2021
**RE: AGENDA ITEM 9: POTENTIAL RECOMMENDATION RESOLUTION REGARDING
RESTORATION AND PRESERVATION OF THE DUNBAR SCHOOL BUILDING**

During the agenda setting meeting with the Chair, Commissioner Perkins requested an item be placed on the agenda to discuss the merits of a Recommendation Resolution that would ask City Council to support restoration and preservation of the Dunbar School Building, also known as the Dunbar Home Economic Building.